

REQUEST FOR COUNCIL ACTION

SUBJECT: Amara Court Townhomes Rezone / Concept Development Plan

SUMMARY: Amara Court Townhomes; Approximately 7292 South Redwood Road; Rezone approximately 2.74 acres from R-1-8A (Single-Family Residential) to PRD(H) (Planned Residential Development - High Density) ; Ferran Construction/Troy Ferran (applicant) [Ray McCandless ZC20140001; parcel 21-27-178-014]

FISCAL IMPACT: None.

STAFF RECOMMENDATION:

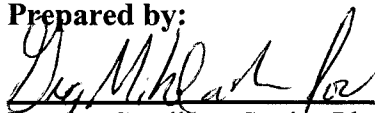
Based on the analysis and findings contained in the Staff Report, Staff recommends that the City Council rezone the property located at approximately 7292 South Redwood Road from R-1-8A (Single-Family Residential) to PRD(H) (Planned Residential Development – High Density). Staff also recommends that the City Council approve the Concept Development Plan showing 21 town homes and an existing single-family dwelling.

MOTION RECOMMENDED:

“Based on the information and findings set forth in this staff report and the design shown in the Amara Court Concept Development Plan, and upon the evidence and explanations received today, I move that the City Council approve the request to rezone 2.74 acres of land located at approximately 7292 South Redwood Road from R-1-8A (Single-Family Residential) to PRD(H) (Planned Residential Development – High Density). I also move to approve the Concept Development Plan as presented.”

Roll Call vote required

Prepared by:



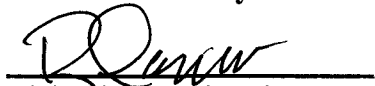
Ray McCandless, Senior Planner

Reviewed by/Concur with:



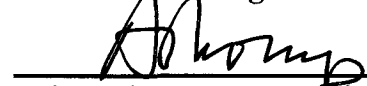
Tom Burdett, Development Director

Recommended by:



Richard L. Davis, City Manager

Reviewed as to legal form:



Robert Thorup, Deputy City Attorney

I. BACKGROUND

The property is located at approximately 7292 South Redwood Road. It contains 2.74 acres and is zoned R-1-8A. The property has an existing single-family dwelling on it that fronts onto Redwood Road. The rest of the property is vacant. The property is designated as High Density Residential on the City's Future Land Use Map.

On April 23, 2014, the City Council held a public hearing on this request. The item was tabled (in a 3-2 vote) to the March 14th City Council Meeting as noted in the attached City Council meeting minutes.

II. GENERAL INFORMATION & ANALYSIS:

This application was initially submitted with the intent to rezone the westernmost 2.41 acres of the subject property from an R-1-8A zoning district to PRD(H) to accommodate a proposed 21-unit town home development and to rezone the easternmost .33 acres from R-1-8A to PO (Professional Office) to allow the conversion of the existing home into an office. Upon conducting a redline review of the rezoning request, several concerns were raised with regards to zoning the front portion of the property to PO. Given these concerns, the applicant has requested that the entire property be rezoned to PRD (H) as stated in Exhibit H. No change to the Future Land Use Map is needed as the PRD (H) zoning is consistent with the High Density Residential land use designation on the map. The existing home can be converted to limited office or commercial use under the Redwood Road Overlay District. This Staff Report is written with the understanding that the entire property is proposed to be rezoned to PRD (H) and that no changes will be needed to the Future Land Use Map.

The applicant is also requesting approval of the Concept Development Plan that is required by the PRD zoning district. The concept plan shows 21 town homes with a gross density of 8.57 dwelling units per acre. The town homes are accessed by a private street that connects to Redwood Road. A community garden area and guest parking are also proposed. The layout and number of units of the development may change depending on the road configuration approved by the Engineering and Fire departments as part of the preliminary and final site plan and subdivision plan review. The Preliminary Development Plan will need to be reviewed by the Planning Commission and City Council in the future.

On March 18, 2014, the Planning Commission reviewed this request and in a (7-0 vote) recommended that the rezoning request and Concept Development Plan be approved by the City Council (Exhibit J).

The property's surrounding zoning and land uses are as follows:

	Future Land Use	Zoning	Existing Land Use
North	High Density Residential	R-1-8A	Residential
South	Very High Density Residential / High Density Residential	R-3-20/R-1-8A	Residential
East	Low Density Residential	R-1-8C	Residential
West	Medium Density Residential / High Density Residential	R-1-8C and R-1-8A	Residential

III. FINDINGS OF FACT

According to City Code, Section 13-7D-7(A), the following shall be met in approving any amendments to the Zoning Map:

Criteria 1: *The proposed amendment is consistent with the purposes, goals, objectives and policies of the adopted general plan.*

Discussion: The property is designated as *High Density Residential* on the City's Future Land Use Map with a density range of 5.1 to 10.0 dwelling units per acre. The proposed PRD (H) zone allows a density of between 5.6 and 10.0 dwelling units per acre which is consistent with the density range shown on the Future Land Use Map. No changes to the Future Land Use Map are required to rezone the property to PRD (H). The applicant may or may not achieve the proposed density of 8.57 dwelling units per acre as shown in the Concept Development Plan depending on the buy-up density approved by the City Council.

City Code states that the purpose of the planned residential development (PRD) zone is to "encourage imaginative, creative and efficient utilization of land by establishing development standards that provide design flexibility, allow integration of mutually compatible residential uses, and encourage consolidation of open spaces, clustering of dwelling units, and optimum land planning with greater efficiency, convenience and amenity than may be possible under the procedures and regulations of conventional zoning classifications. A planned residential development should also incorporate a common architectural design theme throughout the project that provides variety and architectural compatibility, as opposed to a development of individual, unrelated buildings located on separate, unrelated lots".

The General Plan supports efficient residential development patterns that enhance established neighborhoods and creates new infill neighborhoods (Page 29). It also encourages infill development to be similar to existing adjacent residential development (Page 31). The General Plan also supports a diversity of dwelling unit types and densities in residential areas (Page 30).

Citywide, the General Plan recommends the ratio of single family residential development to multi-family of 83/17. The General Plan states. "In order to meet an 83/17 single family/multi-family housing ratio established by the General Plan, the city would need a total of 32,636 single-family units and 6,685 multi-family units, which will require construction of an additional 7,754 single-family units and 535 multi-family units by 2020..."

The General Plan states that 'the percentage of multi-family housing has increased slowly since 2000, climbing from 14% to 20% in 2010. The percentage of existing multiple-family housing as compared to the total housing stock is illustrated by the chart and graph below (Figure 4.3).'

Figure 4.3 Housing Type

Year	Single-family	Multi-family	Total	% Single-family	% Multi-family
2000 (Census)	19,531	2,789	22,230	87.5%	12.5%
2000	19,852	3,187	23,030	86.2%	13.8%
2001	20,238	3,380	23,609	85.7%	14.3%
2002	20,904	3,819	24,714	84.6%	15.4%
2003	22,125	4,474	26,590	83.2%	16.8%
2004	22,951	4,726	27,668	83.0%	17.0%
2005	23,811	4,878	28,680	83.0%	17.0%
2006	24,343	4,992	29,326	83.0%	17.0%
2007	24,505	5,295	29,800	82.2%	17.8%
2008	24,591	5,418	30,009	82.0%	18.0%
2009	24,732	5,832	30,562	80.9%	19.1%
2010	24,882	6,150	31,032	80.2%	19.8%

Source: W.J. Building Permits; U.S. Census Bureau, 2000 Census

Although the overall number of multi-family dwellings in the City is a consideration, the more important issue is whether this is an appropriate location for townhomes given the adjoining land uses proximity to Redwood Road and impacts to those uses.

Townhomes are a hybrid between single-family attached and multi-family housing. Townhomes are individually owned and generally owner occupied whereas apartments are for rent units.

Best planning practices would support locating higher density housing near where public transit facilities are available not only to provide housing options for those wanting to use the system, but to reduce the number of vehicle trips on public streets. There is bus service on Redwood Road and staff is of the opinion that higher density development can work, provided that any foreseeable impacts from differing land use densities can be adequately mitigated.

The density will be established as part of the Preliminary Development Plan review which will follow the rezoning process. Per City Code, section 13-5C-8, the density of the development will be determined based on the amenities provided such as detached garages, enhanced architectural features and recreational facilities.

Given that the proposed density is within the density range of the PRD (H) zoning district and within the density range of the Future Land Use Map and because the townhomes add to a more diverse housing mix, the proposed rezoning to PRD (H)

is consistent with the purposes, goals and objectives and policies of the City's General Plan.

Finding: The proposed request to change the zoning map to PRD (H) as proposed is consistent with the purposes, goals, objectives and policies of the City's General Plan provided that the number of dwelling units is within the density range as set by the General Plan.

Criteria 2: *The proposed amendment will result in compatible land use relationships and does not adversely affect adjacent properties.*

Discussion: Looking at the broader picture, the Future Land Use Map shows the adjoining property to the north and south as High Density Residential meaning that the proposed PRD (H) zoning is consistent with adjoining land uses to the north and south. The proposed zoning also provides buffering between the single-family dwellings to the east and impacts from Redwood Road. The proposed rezone will not adversely affect the storage units which are further to the north or the Aspen Pines apartments to the south which are designated as Very High Density Residential and are zoned R-3-20.

The concept plan shows 21 townhomes. Although this is not a subdivision approval request, the concept plan demonstrates that adequate buffering between uses can be provided to mitigate compatibility between this development and the adjoining property. If the property were developed as single-family residential in an R-1-8 zone, roughly 10-12 units could be built on the site.

Finding: The proposed zoning amendment will result in compatible land use relationships and does not adversely affect adjacent properties.

Criteria 3: *The proposed amendment furthers the public health, safety and general welfare of the citizens of the City.*

Discussion: Staff does not foresee any adverse impacts to public health, safety or general welfare of the citizens of the city resulting from the proposed PRD (H) zone.

Finding: The proposed zoning amendment will not be a detriment to the public health, safety and general welfare of the citizens of the city.

Criteria 4: *The proposed amendment will not unduly impact the adequacy of public services and facilities intended to serve the subject zoning area and property than would otherwise be needed without the proposed change, such as, but not limited to, police and fire protection, water, sewer and roadways.*

Discussion: The Engineering Division has determined there are adequate public facilities in the area. The applicant will need to provide for storm drainage, utilities and public streets during the subdivision review process and as required

per City Code. The City will not require a traffic study; however, UDOT will require one since Redwood Road is a State road.

The Fire Department will inspect the subdivision plat once an application is made to determine serviceability based on specific design.

Finding: The proposed amendment will not unduly impact the adequacy of public services and facilities intended to serve the subject zoning area and property than would otherwise be needed without the proposed change, such as, but not limited to, police and fire protection, water, sewer and roadways.

Criteria 5: *The proposed amendment is consistent with the provisions of any applicable overlay zoning districts which may impose additional standards.*

Discussion: The property is in the Redwood Road Overlay District which will allow the applicant to convert the front building into a limited office or commercial use if all zoning requirements can be met. Rezoning the property to PRD (H) will not impact what can be developed in the Redwood Road Overlay District.

Finding: The proposed amendment is consistent with the provisions of any applicable overlay zoning districts which may impose additional standards.

Per City Code, section 13-5C-1C, the intent of planned developments (PC or PRD) is to:

Criteria 1: *Create more attractive and more desirable environments in the city.*

Discussion: The proposed development will provide a more desirable environment in the City by providing a variety of housing options for people interested in living in the area. Another benefit will be that a long underutilized parcel of vacant in-fill land will be developed in a central portion of the City.

Finding: The proposed rezoning will create more attractive and more desirable environments in the City.

Criteria 2: *Allow a variety of uses and structures and to encourage imaginative concepts in the design of neighborhood housing and mixed use projects.*

Discussion: The proposed rezoning will allow for greater flexibility in land use and structure types than would generally be found in a typical single-family development. The concept plan shows town homes which are consistent with the adjoining property to the south. Although the properties to the north currently have single-family dwellings on them, it is likely that this area will develop as multi-family with offices along the frontage of Redwood Road in the future.

Finding: The proposed rezoning will allow a variety of uses and structures and to encourage imaginative concepts in the design of neighborhood housing and mixed use projects.

Criteria 3: *Provide flexibility in the location of buildings on the land.*

Discussion: The PRD (H) zoning allows for greater flexibility in where buildings on the property can be located. Fifteen percent of the site must be maintained as open space. This flexibility should not impact existing residential developments in the area as buffering and open space requirements are more restrictive in this zone.

Finding: The proposed rezoning provides flexibility in the location of buildings on the land.

Criteria 4: *Facilitate and encourage social and community interaction and activity among those who live within a neighborhood.*

Discussion: The open spaces surrounding the building and proposed community garden will encourage interaction and activity among the residents within the development. PRD's are intended to be more communal in nature than standard single-family residential developments. The community garden should be relocated out of the detention basin due to the potential for soil contamination from streets and parking areas. All subdivision / site plan related issues will be dealt with in full at the time of review and examination of the site plan and subdivision applications.

Finding: The proposed rezone facilitates and encourages social and community interaction and activity among those who live within the neighborhood.

Criteria 5: *Encourage the creation of a distinctive visual character and identity for each planned development.*

Discussion: Although architecture and theme will be addressed through the subdivision and site plan review processes, the applicant has submitted colored architectural renderings illustrating the proposed townhomes which are located in the Concept Development Plan (Exhibit I). All PRD developments are required to be reviewed by the City's Design Review Committee prior to a Preliminary Site Plan & Development Plan being approved. The applicant will be given a copy of the City's Design Guidelines Manual to assist in the future design, character, and architecture of the project.

Finding: Building architecture and theme will be addressed through the subdivision and site plan review processes.

Criteria 6: *Produce a balanced and coordinated mixture of uses and related public and private facilities.*

Discussion: This criterion is oriented toward large planned communities, not one of this size.

Finding: This criterion does not apply.

Criteria 7: *Encourage a broad range of housing types, including owner and renter occupied units, single-family detached dwellings and multiple-family structures, as well as other structural types.*

Discussion: This project is not a large scale development but does provide an alternative to detached single-family homes and apartments. If the City Council votes to approve the rezoning request, there are a number of ways to assure that the units remain owner occupied such as through a development agreement.

Finding: The proposed rezoning encourages a broad range of housing types, including owner and renter occupied units, single-family detached dwellings and multiple-family structures, as well as other structural types.

Criteria 8: *Preserve and take the greatest possible aesthetic advantage of existing trees and other natural site features and, in order to do so, minimize the amount of grading necessary for construction of a development.*

Discussion: There are some trees along the south property line that should be kept if possible as they can serve as an aesthetic amenity for the development. This will be evaluated as part of the subdivision and site plan review process. The site is otherwise on level ground.

Finding: The proposed rezone preserves and takes the greatest possible aesthetic advantage of existing trees and other natural site features and, in order to do so, minimizes the amount of grading necessary for construction of a development

Criteria 9: *Encourage and provide for open land for the general benefit of the community and public at large as places for recreation and social activity.*

Discussion: This is a relatively small development with 21 dwelling units. The open space surrounding the development will provide spaces for recreation and social activity. A community garden is also proposed within the development which will benefit the residents.

If the property were zoned R-3-8, which is considered High Density Residential, the number of units allowed would be similar to what is proposed, at around 21 or 22 dwelling units.

Finding: The proposed rezone encourages and provides for open land for the general benefit of the community and public at large as places for recreation and social activity.

Criteria 10: *Achieve physical and aesthetic integration of uses and activities within each development.*

Discussion: Physical and aesthetic integration of uses and activities within the development will be provided with the coordinated architectural design of the buildings.

Finding: The proposed rezone achieves physical and aesthetic integration of uses and activities within the development.

Criteria 11: *Encourage and provide for development of comprehensive pedestrian circulation networks, separated from vehicular roadways in order to create linkages between residential areas, open spaces, recreational areas and public facilities, thereby minimizing reliance on the automobile as a means of transportation.*

Discussion: Sidewalks will be required throughout the development and will provide connections between the units and Redwood Road. Pedestrian separation and circulation will be adequate and in conformance with all code requirements.

Finding: The proposed rezone encourages and provides for development of comprehensive pedestrian circulation networks, separated from vehicular roadways in order to create linkages between residential areas, open spaces, recreational areas and public facilities, thereby minimizing reliance on the automobile as a means of transportation.

Criteria 12: *Since many of the purposes for planned development zones can best be realized in large scale developments, development on a large, planned scale is encouraged.*

Discussion: The size of this PRD is limited by the property available, Staff believes that the proposed scale of the development will not be a detriment to the area and will have minimal impact to existing neighborhoods in the immediate area.

Finding: The size of this PRD is limited by the property available and the fact that all other adjoining property is developed.

Criteria 13: *Achieve safety, convenience and amenity for the residents of each planned residential development and the residents of neighboring areas.*

Discussion: Public health, safety and general welfare is discussed in Criteria 3 in the preceding section.

Finding: The proposed rezone achieves safety, convenience and amenity for the residents of the planned development and the residents of neighboring areas.

Criteria 14: *Assure compatibility and coordination of each development with existing and proposed surrounding land uses.*

Discussion: Neighborhood compatibility is discussed in Criteria 2 of the preceding section.

Finding: The proposed rezone assures compatibility and coordination of the development with existing and proposed surrounding land uses.

IV. SUMMARY OR CONCLUSION:

Staff believes that for the reasons stated in this report, this is an appropriate location for PRD(H) zoning and that all necessary submittal requirements for a zone change to a Planned Development zone have been met. During the public hearing for this item date April 23rd, a claim was made that the application for the rezone was “legally insufficient” and that the PRD criteria had not been met. The claims of a “legally insufficient” application were that, 1) the property owners did not sign the application as the Trustee; 2) a topographical map was not submitted with the concept plan; and, 3) a preliminary development schedule had not been submitted.

As per these arguments, the property owner, Aileen Steadman Smith, appeared at the public hearing and clarified that she and her sister signed as Trustees. A topographical map was included on the same page of the conceptual plan in enough detail to prove the site is primarily flat and that drainage would need to be installed to the east of the projects buildings. And finally, since the project will be constructed as a single-phase, there would be no need for a preliminary development schedule. Relative to other arguments regarding criteria of the PRD zone, it should be understood that the intent of a planned development zone is to encourage competence in land use planning, and not to stifle growth if portions of the criterion cannot be met (i.e. the mixing of uses). The criteria set forth in Section 13-5C-1(C) is intended as to act as a guide, not an outright requirement for development(s) in a planned development zone. Section 13-5C-1(C) states:

"It is the intent of the city that site and building plans for planned developments be prepared by a designer or team of designers having professional competence in urban planning, site planning, and architectural and landscape architectural design. However, it is not the city's intent that design control be so rigidly exercised that individual initiative is stifled or that substantial additional expense is incurred. Rather, it is the intent of this section that the control exercised be the minimum necessary to achieve the purpose of this chapter."

As the findings support the proposed rezoning request, Staff does not foresee any concerns with rezoning the property PRD (H) (Planned Residential Development – High Density). Many issues related to design and layout can be addressed at the time of Site Plan, Subdivision and Development Plan submittal and review.

V. STAFF RECOMMENDATIONS:

Based on the findings set forth in this staff report, staff recommends that the City Council approve the Concept Development Plan and rezone the property located at approximately 7292 South Redwood Road, from R-1-8A (Single-family Residential 8,000 square foot minimum lots) to PRD (H) (Planned Residential Development – High Density).

VI. MOTION RECOMMENDED:

Based on the findings set forth in this staff report, and upon the evidence and explanations received today, I move that the City Council approve the Concept Development Plan and rezone the property located at approximately 7292 South Redwood Road, from R-1-8A (Single-family Residential 8,000 square foot minimum lots) to PRD (H) (Planned Residential Development – High Density).

If the moving Councilmember disagrees with the staff's findings and conclusions and finds substantial evidence supporting a different result, the following motion may be given:

Based on my reading of the staff report and/or the new evidence and further explanations and discussions received in this meeting today, I move that the City Council deny the Concept Development Plan and rezoning request for the property located at approximately 7292 South Redwood Road, from R-1-8A (Single-family Residential 8,000 square foot minimum lots) to PRD (H) (Planned Residential Development – High Density). Specifically I disagree with the Staff and find that the following required criteria for a Zoning Map Amendment and/or Concept Development Plan has not been met:

Zoning Map Amendment:

1. The proposed amendment is consistent with the purposes, goals, objectives and policies of the adopted general plan.
2. The proposed amendment will result in compatible land use relationships and does not adversely affect adjacent properties.
3. The proposed amendment furthers the public health, safety and general welfare of the citizens of the city.
4. The proposed amendment will not unduly impact the adequacy of public services and facilities intended to serve the subject zoning area and property than would otherwise be needed without the proposed change, such as, but not limited to, police and fire protection, water, sewer and roadways.
5. The proposed amendment is consistent with the provisions of any applicable overlay zoning districts which may impose additional standards.

Concept Development Plan

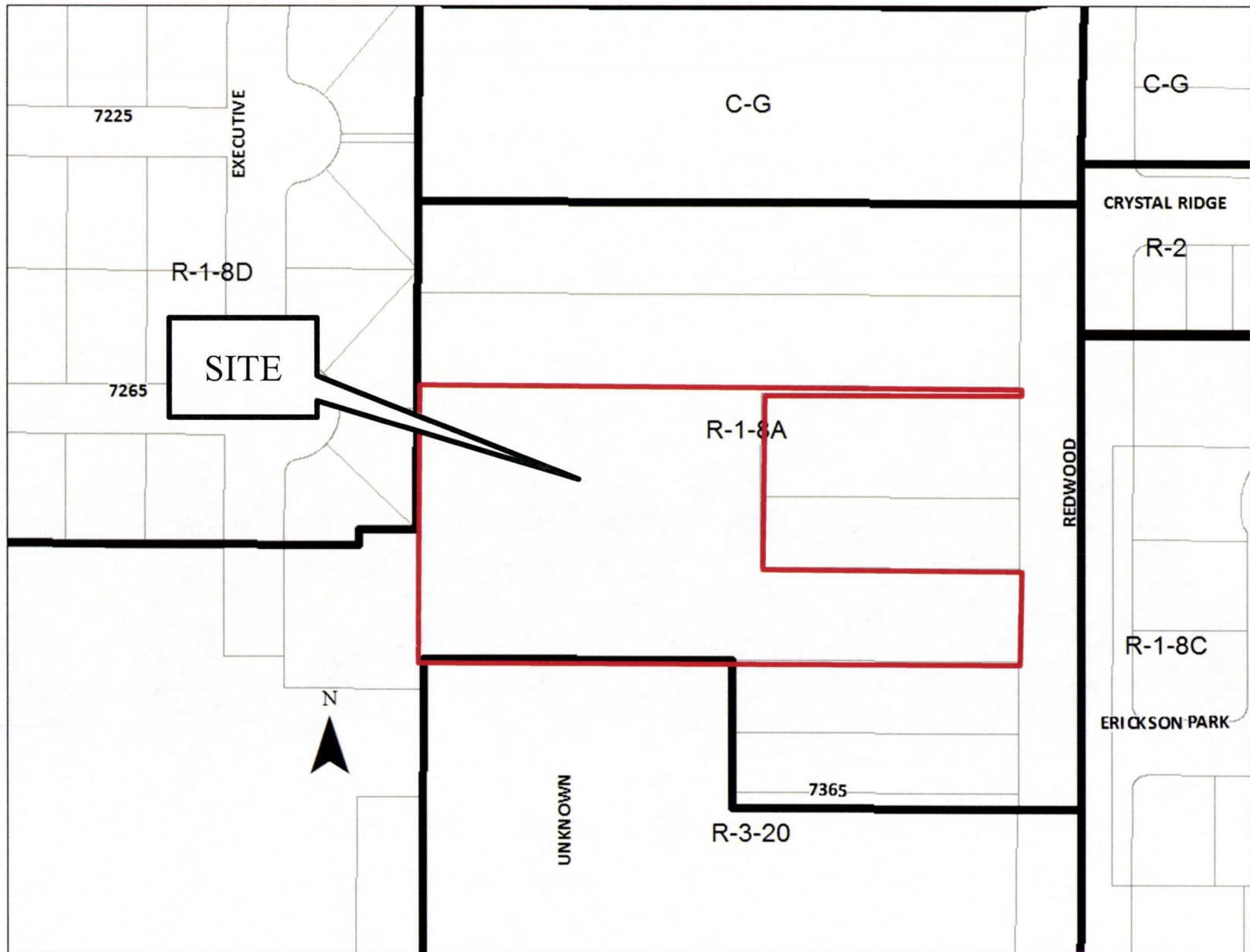
1. Create more attractive and more desirable environments in the city.
2. Allow a variety of uses and structures and to encourage imaginative concepts in the design of neighborhood housing and mixed use projects.
3. Provide flexibility in the location of buildings on the land.
4. Facilitate and encourage social and community interaction and activity among those who live within a neighborhood.
5. Encourage the creation of a distinctive visual character and identity for each planned development.
6. Produce a balanced and coordinated mixture of uses and related public and private facilities.
7. Encourage a broad range of housing types, including owner and renter occupied units, single-family detached dwellings and multiple-family structures, as well as other structural types.
8. Preserve and take the greatest possible aesthetic advantage of existing trees and other natural site features and, in order to do so, minimize the amount of grading necessary for construction of a development.
9. Encourage and provide for open land for the general benefit of the community and public at large as places for recreation and social activity.
10. Achieve physical and aesthetic integration of uses and activities within each development.
11. Encourage and provide for development of comprehensive pedestrian circulation networks, separated from vehicular roadways in order to create linkages between residential areas, open spaces, recreational areas and public facilities, thereby minimizing reliance on the automobile as a means of transportation.
12. Since many of the purposes for planned development zones can best be realized in large scale developments, development on a large, planned scale is encouraged.
13. Achieve safety, convenience and amenity for the residents of each planned residential development and the residents of neighboring areas.
14. Assure compatibility and coordination of each development with existing and proposed surrounding land uses.

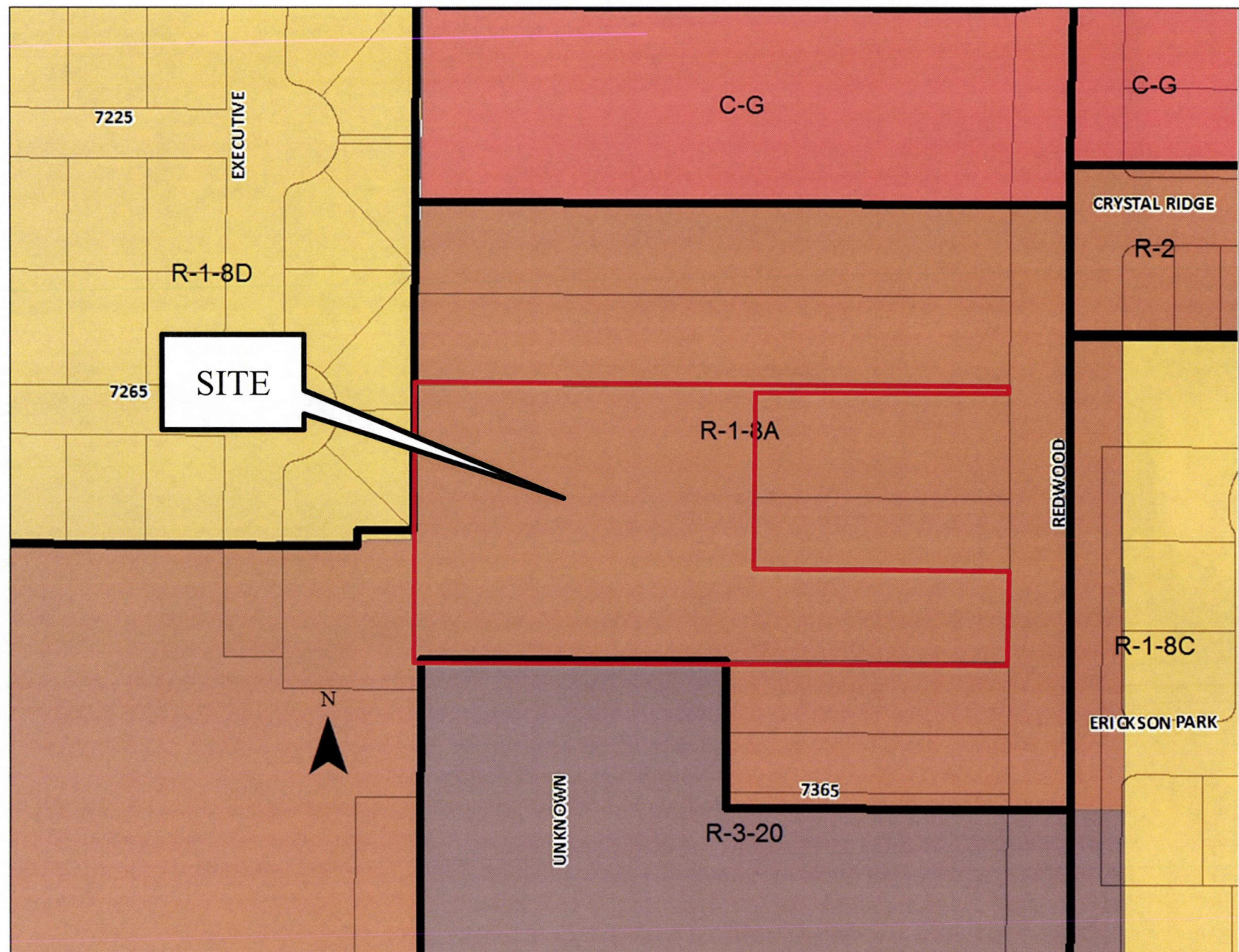
Which criteria has been met or not met? Why?

Note: All applicable criteria must be met to support a positive action by the City Council.

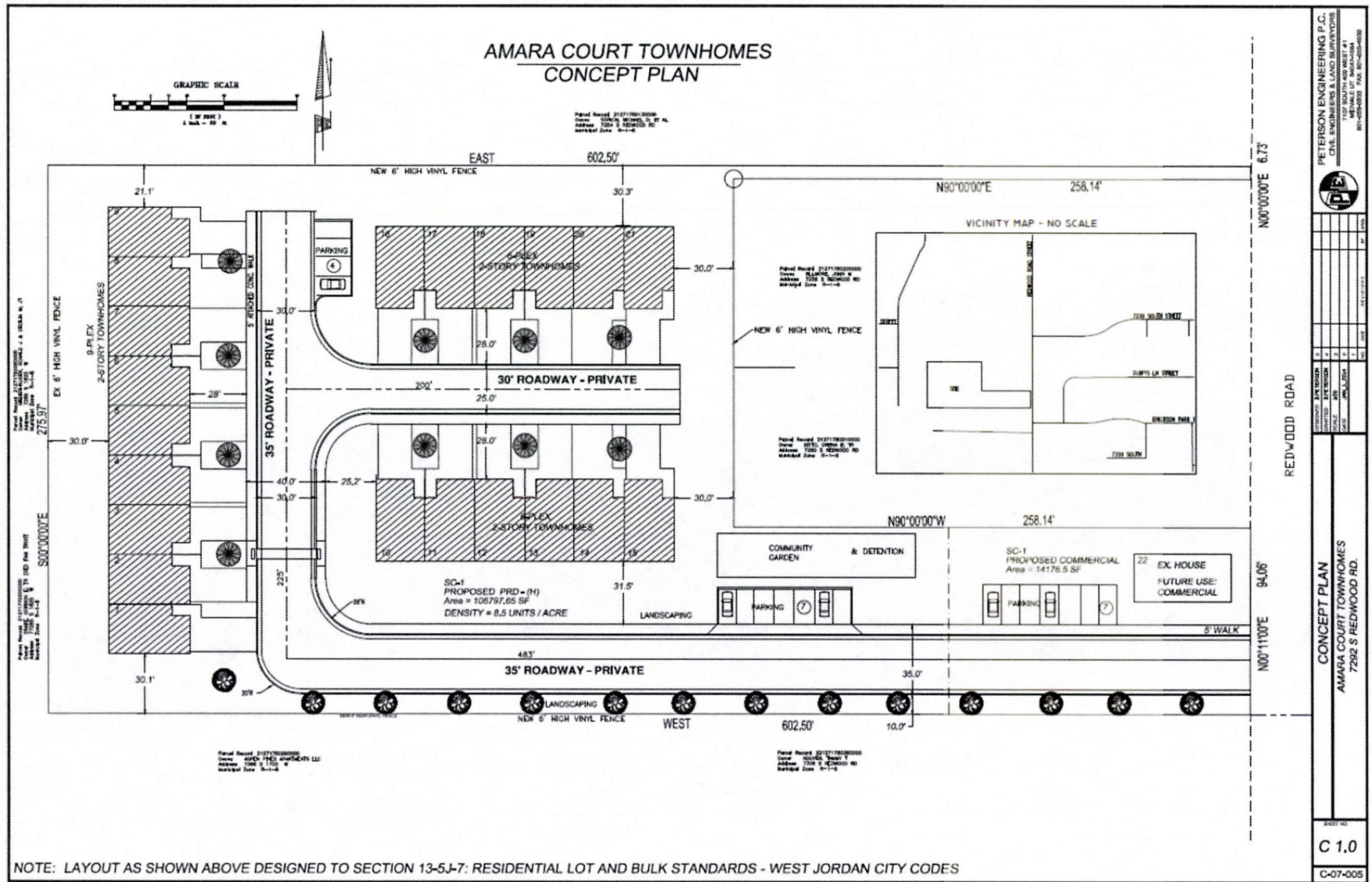
ATTACHMENTS:

Exhibit A – Zoning and Vicinity Map
Exhibit B – Future Land Use Map
Exhibit C – Aerial Map
Exhibit D – Concept Plan Drawing
Exhibit E – Building Elevations Plat
Exhibit F – Area Plan
Exhibit G – Application
Exhibit H – Applicant Letter Concerning PO Zoning
Exhibit I – Concept Development Plan
Exhibit J – Planning Commission Minutes
Exhibit K – Draft Ordinance
Exhibit L – Draft City Council Meeting Minutes

***Exhibit A*****Zoning and Vicinity Map**

**Exhibit B****Future Land Use Map**

***Exhibit C*****Aerial Map**



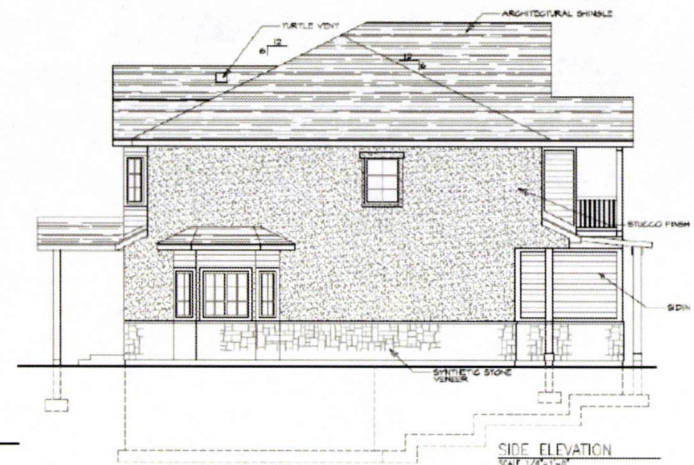
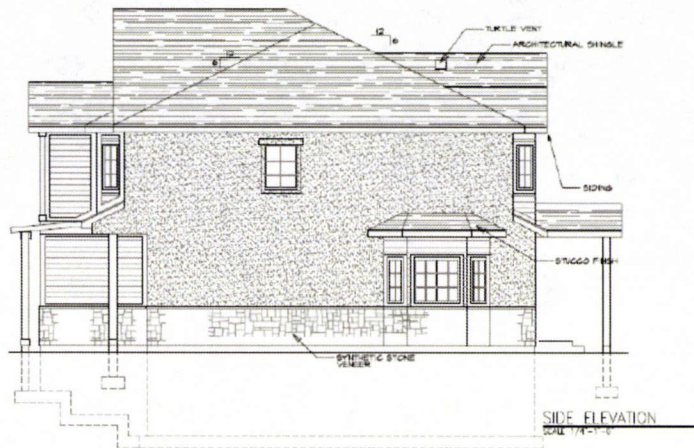
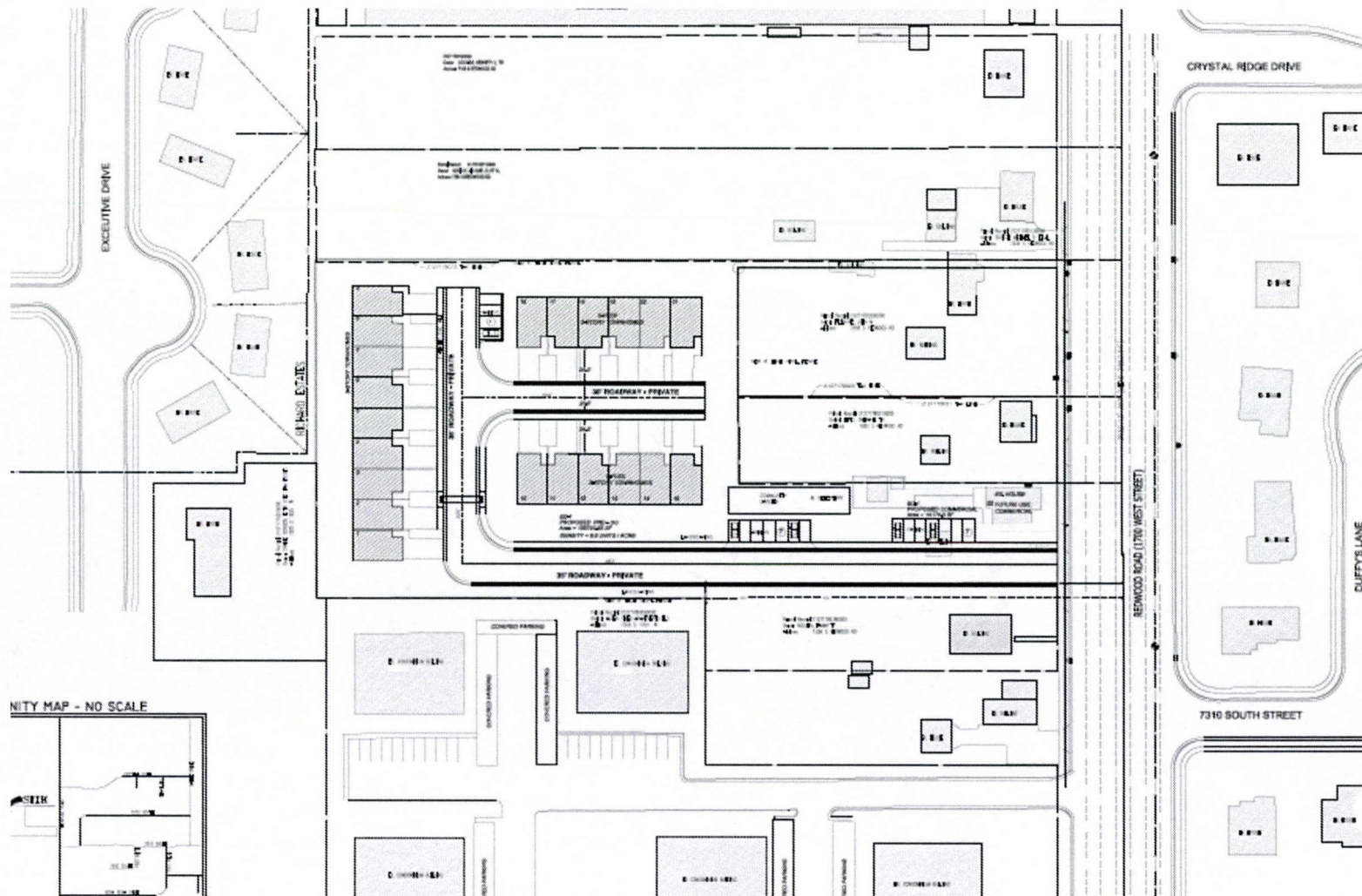


Exhibit E

Building Elevations



NITY MAP - NO SCALE

Exhibit F

Area Plan



CITY OF WEST JORDAN COMMUNITY DEVELOPMENT APPLICATION

8000 South Redwood Road
(801) 569-5180

Sidwell # 21-27-178-014 Acreage: 2.78 Lots: 21 Zoning: PRO(H)

Project Location: 7292 S. 1700 W., WEST JORDAN UT 84084

Project Name: AMARA COURT TOWNHOMES

Type of Application: ☐ Subdivision ☐ Conditional Use Permit
☐ Site Plan ☒ General Land Use Amendment
☒ Rezone ☐ Agreement
☐ Condominium ☐ Other

Applicant: TROY FERRAN Company: FERRAN CONSTRUCTION

Address: 9090 S. 300 W.

City: SANDY State: UT Zip: 84070

Telephone: Office: 801-446-3532 Cell: 801-259-7533

Email: TFERRAN@FERRANCONSTRUCTION.COM

Property Owner: ALEEN S. SMITH + COLLEEN S. GRAHAM

Address: 7292 S. 1700 W.

City: WEST JORDAN State: UT Zip: 84084

Telephone: Office: 801-563-7373
801-295-8578 Cell:

Email:

Engineer: DAVID PETERSON Company: PETERSON ENGINEERING P.C.

Address: 7107 SOUTH 400 WEST #1

City: MIDVALE State: UT Zip: 84047

Telephone: Office: 801-255-3503 Cell: 801-859-7150

Email: DAVE@PETERSONENG.NET

Architect: DAVID PETERSON Company: PETERSON ENGINEERING, P.C.

Address: 7107 SOUTH 400 WEST #1

City: MIDVALE State: UT Zip: 84047

Telephone: Office: 801-255-3503 Cell: 801-859-7150

Email: DAVE@PETERSONENG.NET

SIGNATURE: Troy Ferran

DATE: 1-23-14

Project #: 20140001 CPA20140002 Date: 2/4/14

Received By: ODA CG PLANNING RM ENGINEERING TJ

Revised 9/1/11

Application

Exhibit G

March 11, 2014

City of West Jordan
Planning and Zoning Division
8000 South Redwood Road
West Jordan, UT 84088

RE: Amara Court rezone, 7270 South Redwood Road

To Whom It May Concern:

This letter is in response to the redline comments received from West Jordan Planning Division pertaining to the Amara Court Townhomes concept drawing. We are in support of having the entire subject property of an estimated 2.78 acres to be rezoned to PRD(H) and use the Redwood Road Overlay to allow the office use on the structure located off Redwood Road.

We appreciate your consideration and look forward to discussing this project further.

Kind Regards,



Scott Geertsen/Troy Ferran

Applicant Letter Concerning PO Zoning

Exhibit H

ATTACHED

RECEIVED BY

FEB 04 2014

O.D.A.

**AMARA COURT
TOWNHOMES
DEVELOPMENT PLAN**

January 30, 2014

PREPARED BY:

FERRAN CONSTRUCTION

DEVELOPMENT PLAN

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Zoning Map Amendment and Development Request

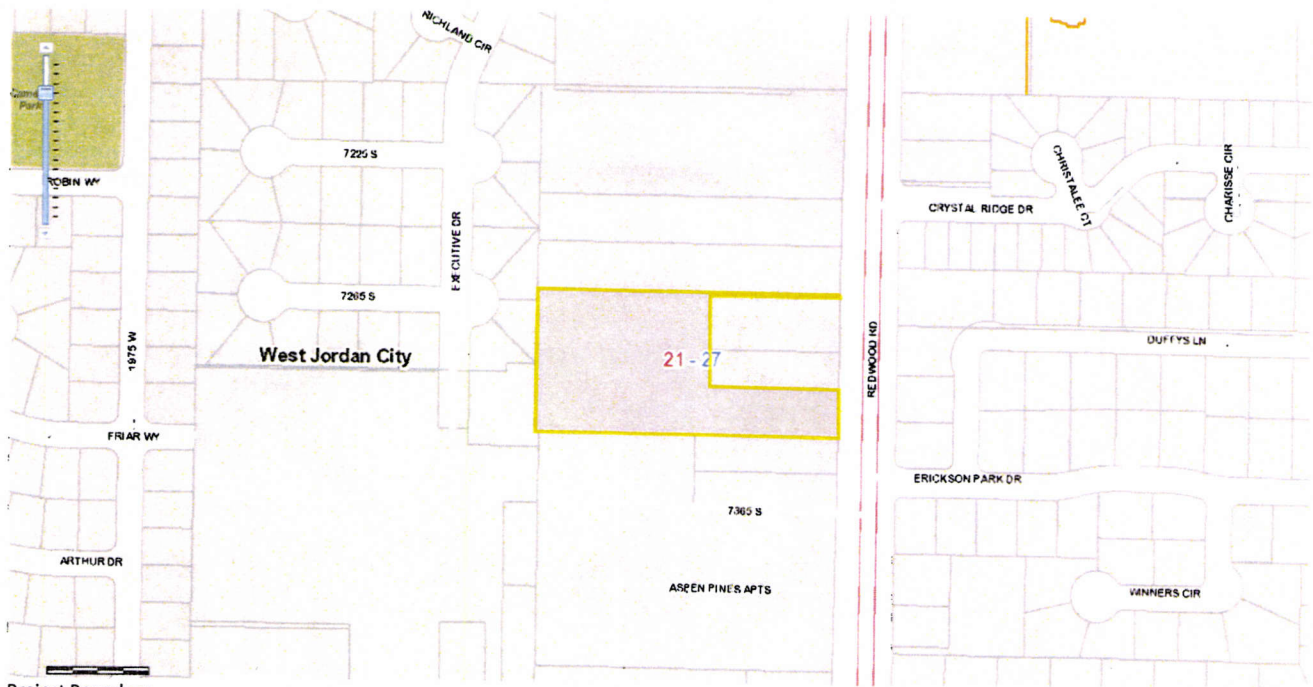
Exhibit A – Vicinity / Aerial Map

Exhibit B – Existing Land Use / Zone Map

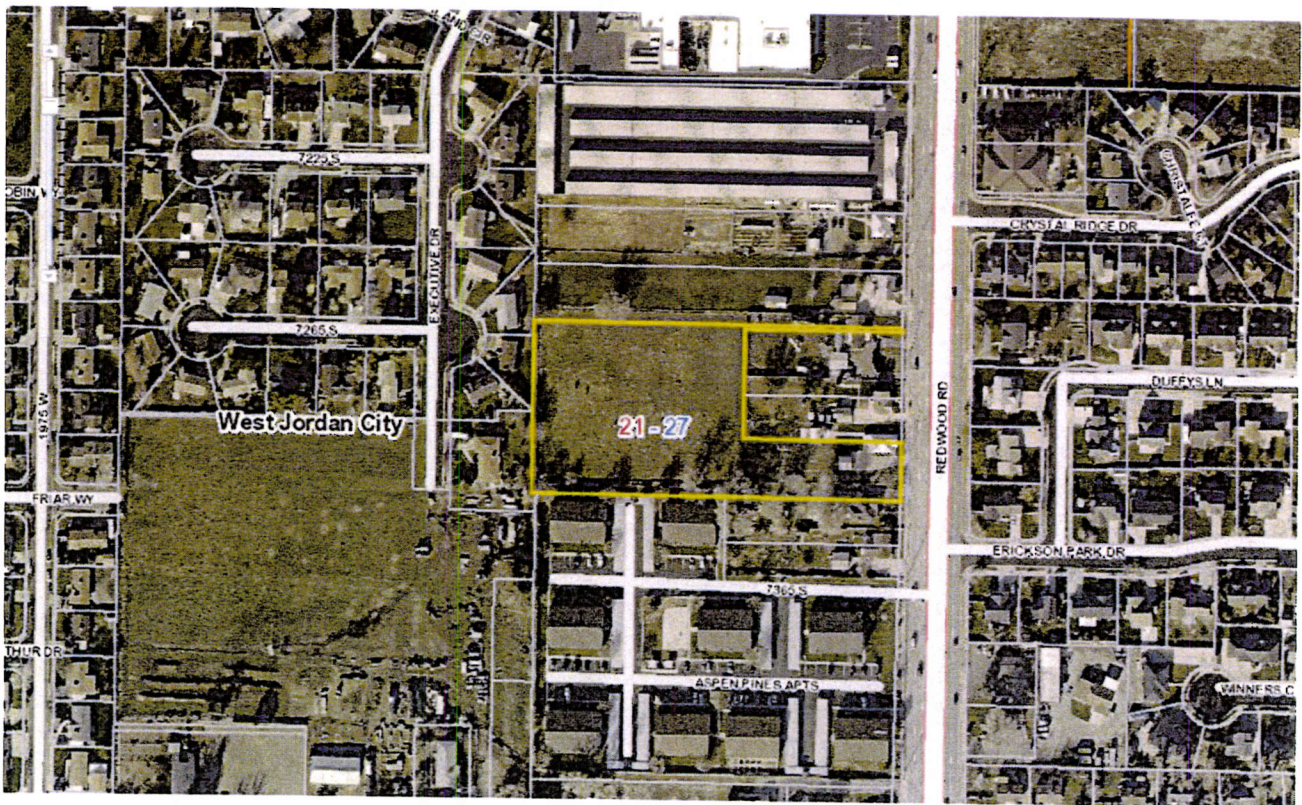
Exhibit C – Preliminary Site Plan / Landscape Plan

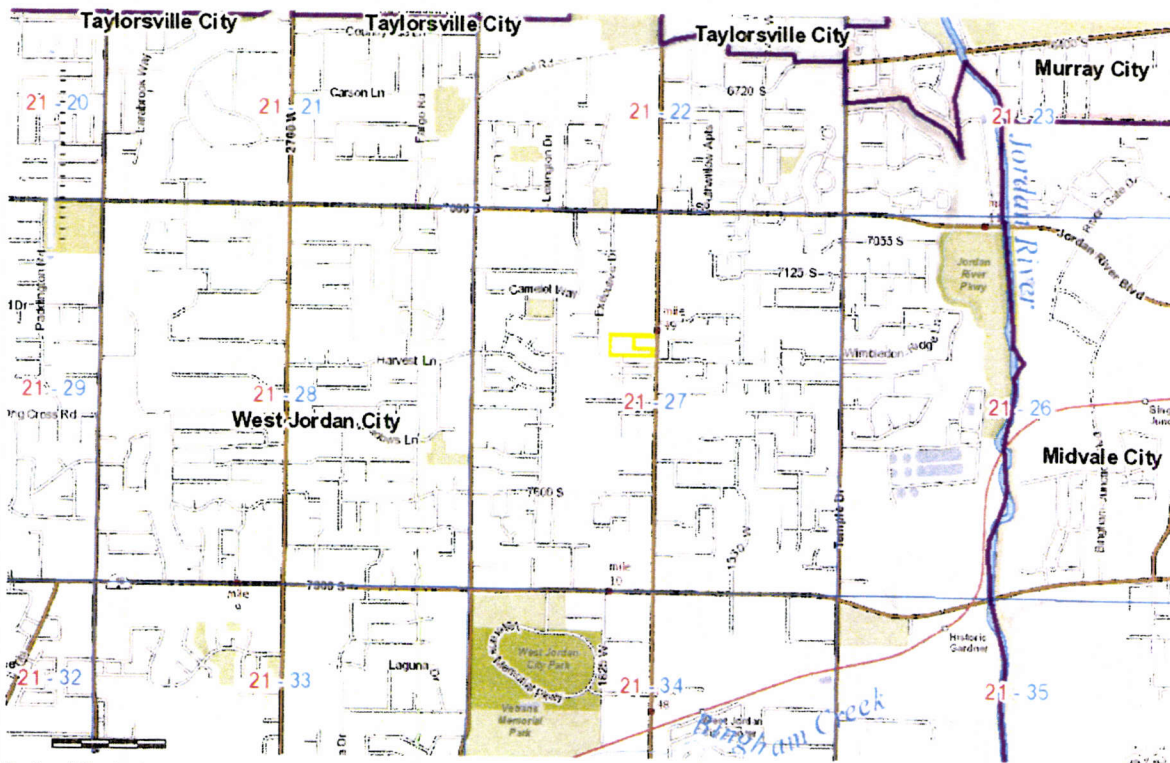
Exhibit D – Preliminary Utility Plan

LOCATION MAP

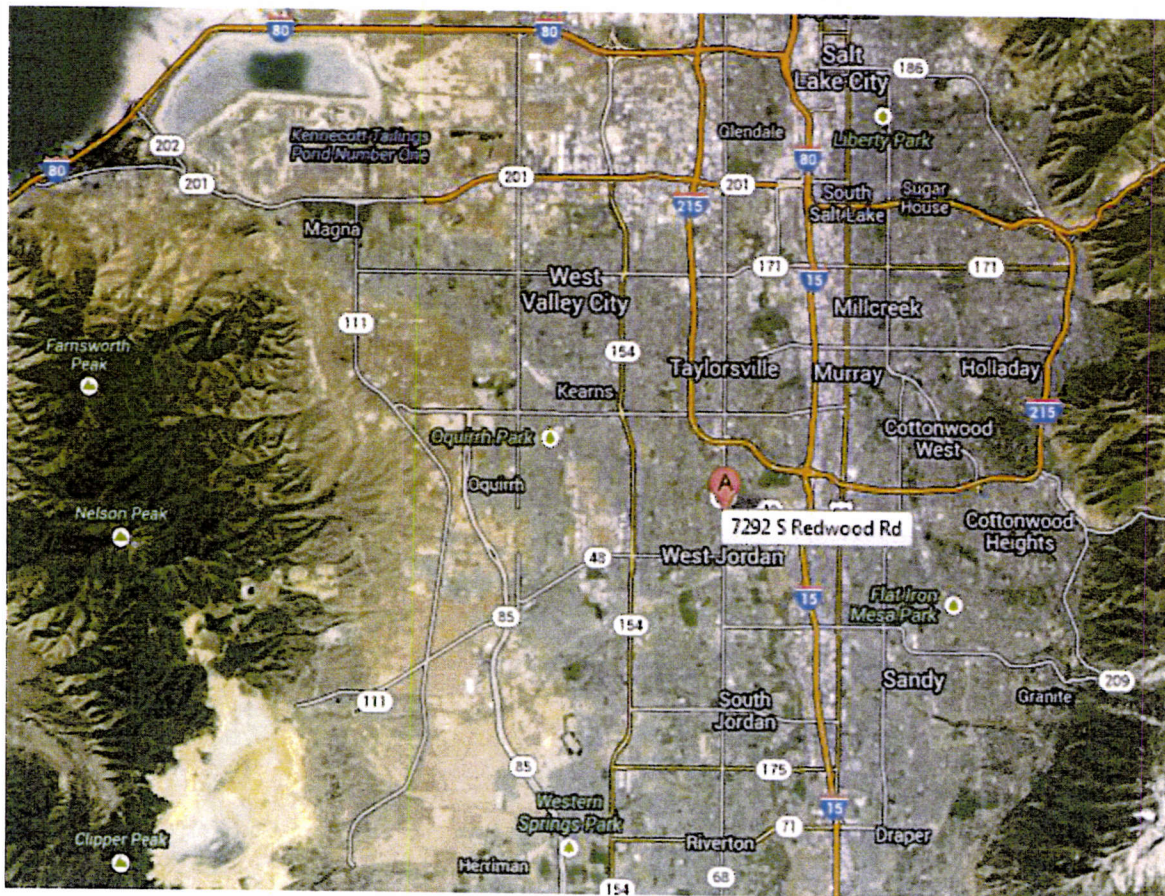


Project Boundary





Regional Context



INTRODUCTION

Amara Court Townhomes is a proposed development containing 21 attached townhome units located at 7292 South Redwood Road within a High Density Residential land use designation. The subject site consists of approximately 2.78 acres set back off the west side of Redwood Road. The project will be a single phase development and will adhere to the requirements of the 2009 City Code and related protocols and policies and other applicable zoning, engineering, fire safety and building requirements. Amara Court should have a low impact upon adjacent landowners, schools, and city services.

This Development Plan for Amara Court will serve as a guiding document for the development of the overall community. The goal with this project is to bring growth to the area, ensure neighborhood livability and create a sense of community.

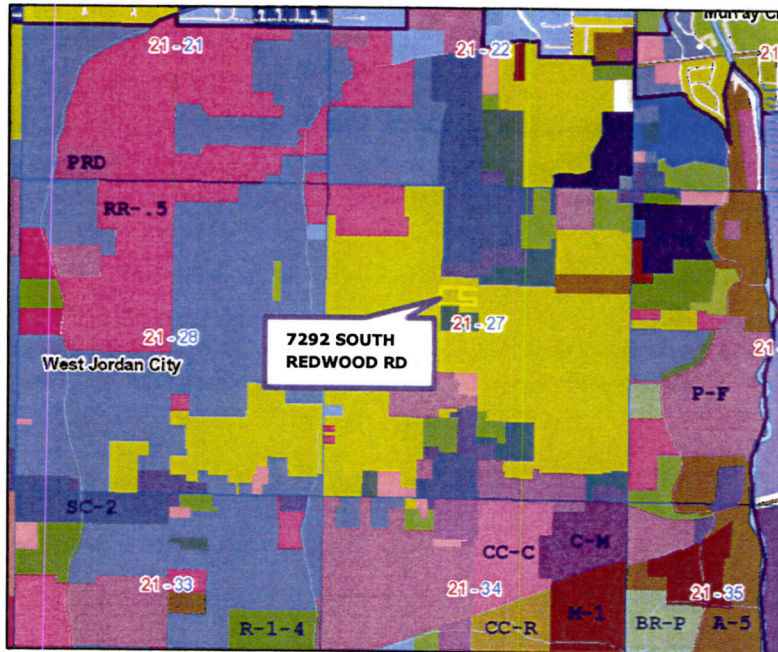
The project will be developed and built by Ferran Construction, which was established in 1996 by Troy Ferran. Troy started his career as a Superintendent with McMullin homes, a Production Manager with Ryland Homes and Director of Construction with Fieldstone Homes. His experience with these companies allowed him to experience the building industry on many levels of the construction process. Today he manages Ferran Construction and oversees all projects from beginning to end.

Ferran Construction has built throughout the Salt Lake Valley, Wasatch County, Weber County, and Utah Valley area.



View of Wasatch Mountains

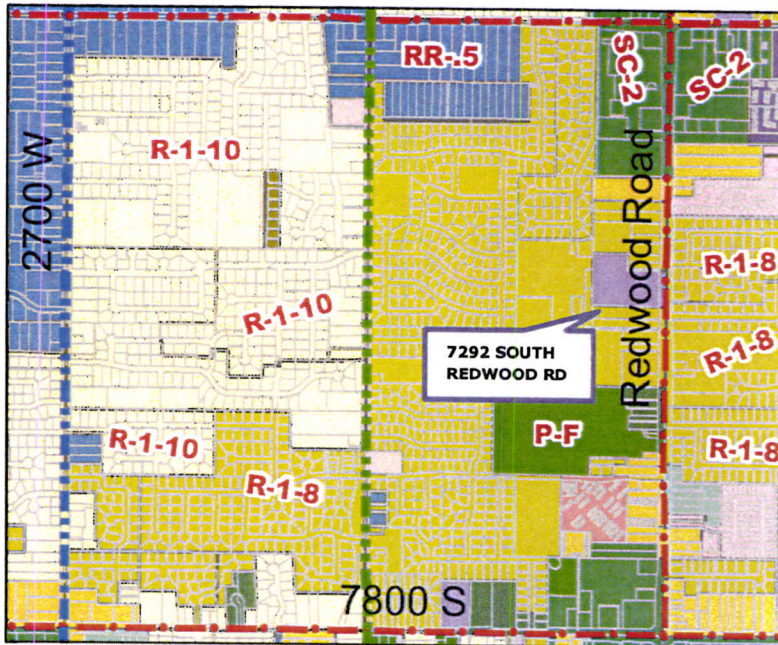
EXISTING ZONING AND LAND USE



The proposed Amara Court project is located at approximately 7292 South Redwood Road; located within the High Density Residential land use designation.

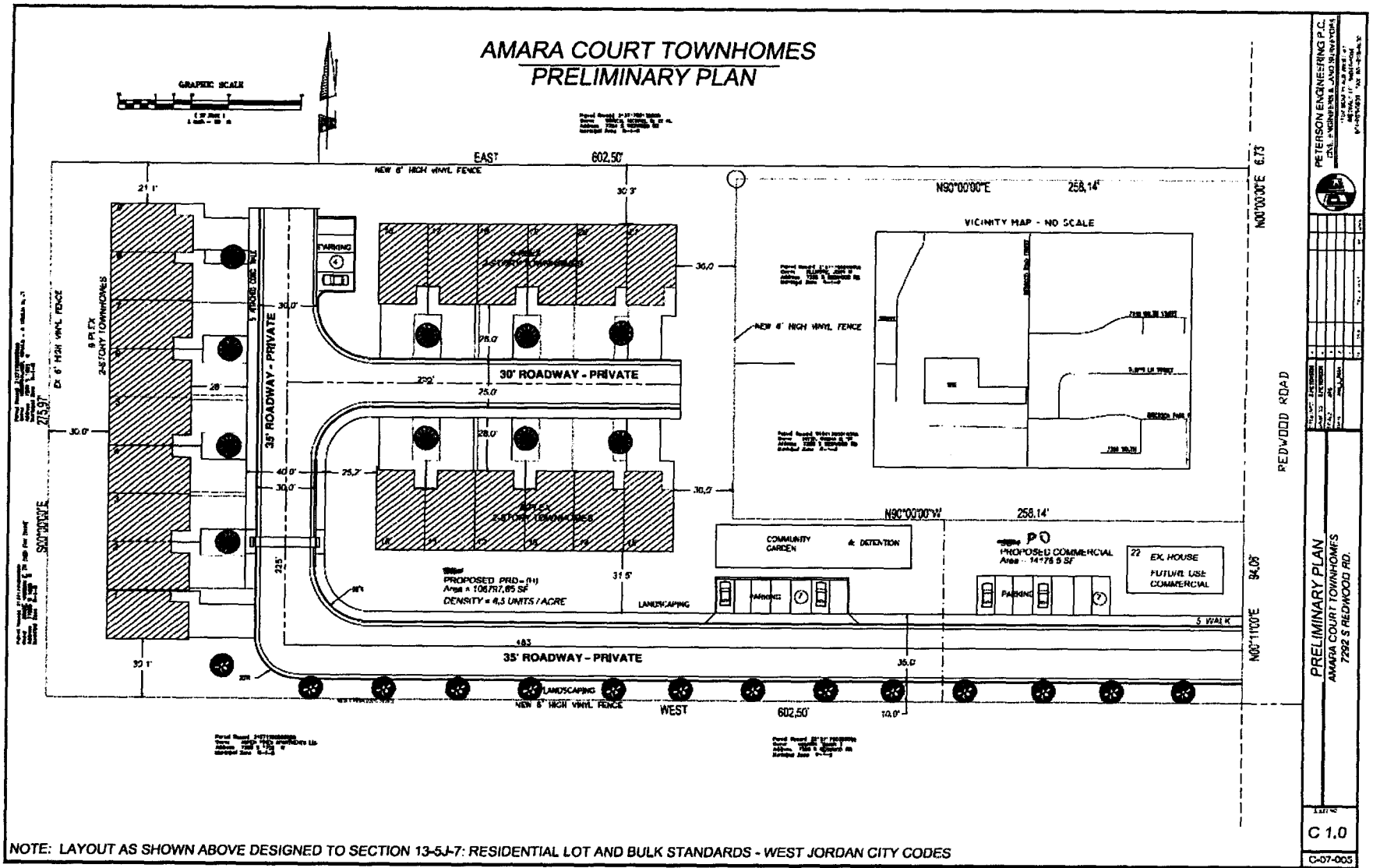
Proposed rezone of 2.78 acres from R-1-8 (Single family Residential) (8,000 square feet) to PRD(H) (Planned Residential Development). The PRD(H) classification typically will be used in conjunction with areas that are designated as "high density" on the general land use map. Densities may range from 5.6 units per acre to ten (10) units per acre.

Existing structure on Redwood Road to be converted to a commercial use. 0.33 acres of 2.78 acres to be rezoned to PO commercial zone.



Legend		Zoning06							
City Boundary		Zoning06		M-2	R-1-4	R-3-20	RR-1		
Master Transportation Plan		ZONE TYPES		M-P	R-1-6	R-3-22	RR-20		
Type		A-1	P-C	P-O	R-1-8	R-3-8	RR-30		
Arterial		A-20	P-F	PRD	R-1-9	R-3-8	RR-40		
Major Collector		A-5	P-O	R-1-10	R-2	R-M	SC-1		
Minor Collector		BR-P	R-1-10	R-1-12	R-3-10	RE-5	SC-2		
UDOT Expressway		C-G	R-1-14	R-3-12	R-3-16	RE-20	SC-3		
		C-M				RE-30			
		M-1				RR-.5			

PRELIMINARY SITE PLAN



PRELIMINARY SITE PLAN

(Note: Layout as shown on previous page designed to Section 13-5J-7: RESIDENTIAL LOT AND BULK STANDARDS – WEST JORDAN CITY CODES)

13-5J-7: RESIDENTIAL LOT AND BULK STANDARDS:

Residential developments shall be designed with lots that have reduced minimum lot sizes. However, the overall project area shall still meet the density standards of the applicable zoning district. The planning for lots and the location of dwellings on those lots shall be achieved in a harmonious and functional manner. The building envelope of all lots in a specific development shall be determined during the review and approval of the development plan (preliminary and final). A developer shall place emphasis on the design and form of the envisioned neighborhood instead of inflexible setback, lot width and lot size requirements. The intent of this section is to allow for greater flexibility in subdivision and site design while assuring that the character of the applicable zoning district remains intact.

A. Lot Sizes: For developments with lots all greater than five thousand (5,000) square feet in size, there is no minimum lot size requirement in terms of area, width or depth for single-, two-family residential and townhomes. However, a lot must be large enough in area to meet the minimum setback requirements of the zone, determined primarily by dwelling type and garage placement. For developments with lots less than five thousand (5,000) square feet in size, the development shall be a planned residential development (PRD), subject to this article and section 13-5C-1 of this chapter. Individual sites for multi-family developments shall be a minimum of four (4) acres in size.

The minimum lot area for all single-family corner lots shall be a minimum of one thousand (1,000) square feet greater than the average lot size of all interior lots (non-corner lots) for the project or phase being reviewed for approval.

B. Building Coverage: No more than seventy five percent (75%) of a single- and two-family residential or attached townhome lot shall be covered by a principal and accessory structure in the WSPA. The overall building coverage of a multi-family structure on a site shall be determined through review and approval of a development plan. It is the responsibility of the developer to provide enough information within the development plan illustrating how each proposed home type can adequately fit on any given lot.

C. Height: All residential structures shall be designed to maintain the scale of the entire neighborhood with respect to height, where no one structure shall be overpowering in height or size when compared with other structures in the same development. For single- and two-family residential or attached townhome structures, the overall maximum height shall be thirty feet (30'). For multi-family structures, the maximum height of a structure shall be established by the planning commission.

D. Residential Structure Setback Standards:

Structure	Minimum Front Setback	Minimum Corner Side Setback	Minimum Interior Setback	Minimum Rear Setback	Minimum Frontage At Building Setback
Single-, two-family and attached townhomes	20' 26' to a front facing garage 10' if garage is alley load	20' 26' to a corner side facing garage 35' when abutting an arterial or collector street	5' on one side and 7.5' on the opposite side	20' 35' when abutting an arterial or collector street - a landscape buffer may be included in review and approval of the development plan	56' for front load 2 car garage 70' for front load 3 car garage 65' for side load garage 48' for alley load garage

E. Multi-Family Residential Setback Standards:

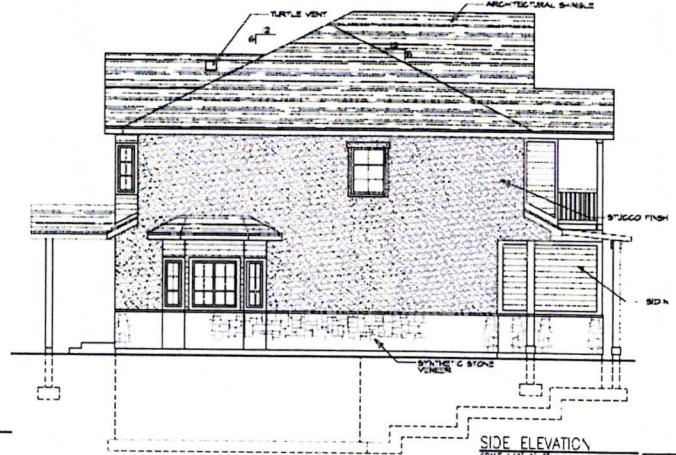
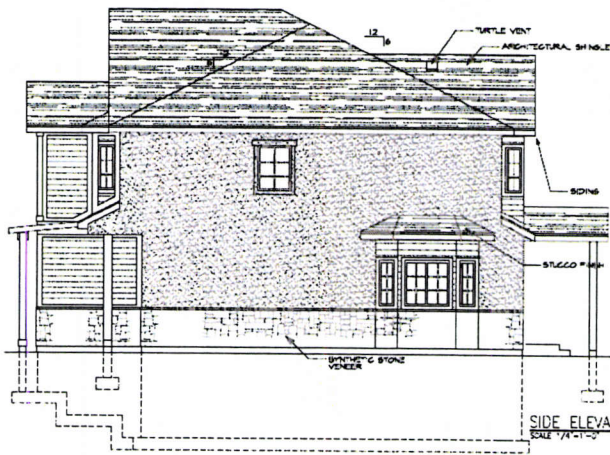
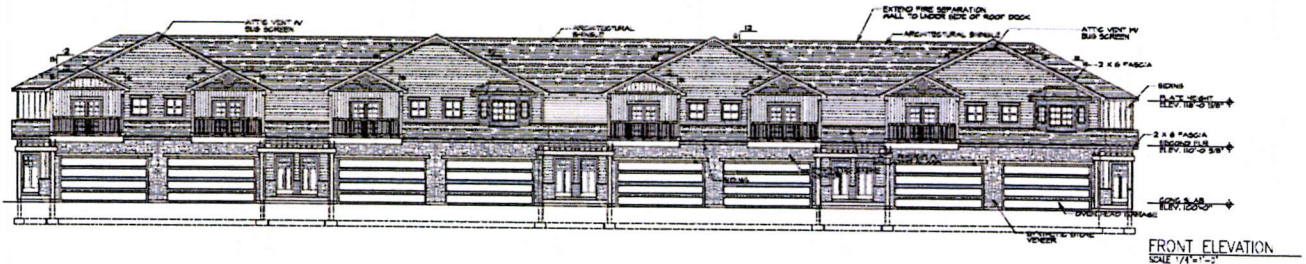
1. Multi-family dwelling developments shall be set back at least twenty feet (20') from a dedicated or private street, and a minimum of thirty five feet (35') when abutting an arterial or collector street.
2. Multi-family dwelling developments abutting a single-, two-family or attached townhome development shall be set back a minimum of thirty feet (30') from the abutting subdivision or development's property line.
3. Specific lot, height and bulk standards in multi-family developments shall be established by the planning commission through approval of the development plan. (2001 Code § 89-3-1108; amd. 2009 Code; Ord. 13-11, 3-27-2013)

BUILDINGS AND STRUCTURES (Elevations and Footprints)

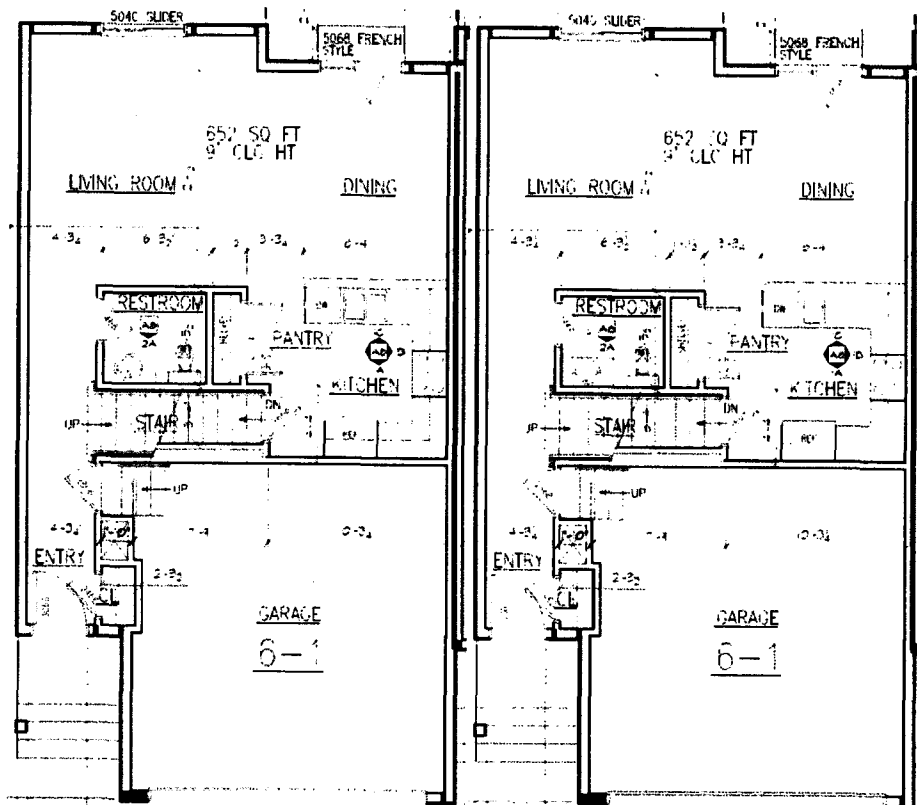


This section addresses the architectural flavor that is desired for Amara Court. Architectural style is not prescribed in the Development Plan, but shall be presented at Development Plan submittal. These images are an example only and do not represent specific form or material requirements. Proposed exterior materials include: 30 year architectural shingles, cultured stone, stucco, fiber cement siding on all sides.

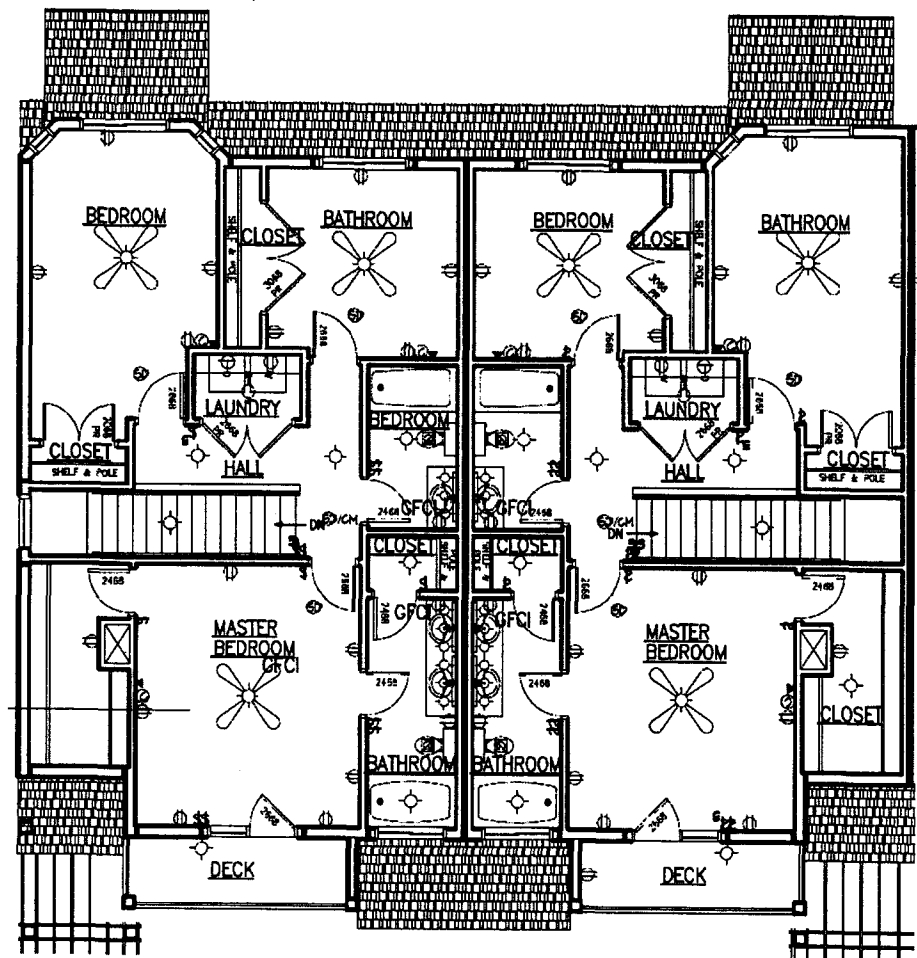
Amara Court will have its own unique architectural style and design. The proposed Amara Court development would contain the highest level of design, function, and appearance standards as called for in the General Plan.



MAIN FLOOR (2 UNITS ILLUSTRATED)



SECOND FLOOR (2 UNITS ILLUSTRATED)



INTERIOR FINISH EXAMPLES



STREET LIGHTING

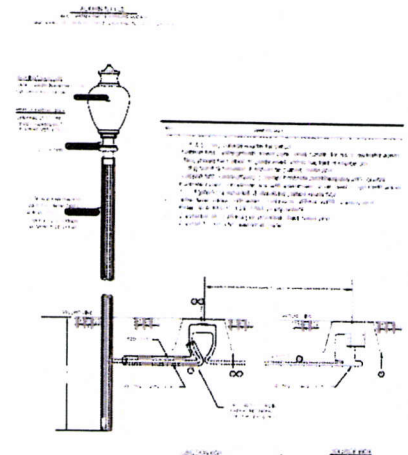
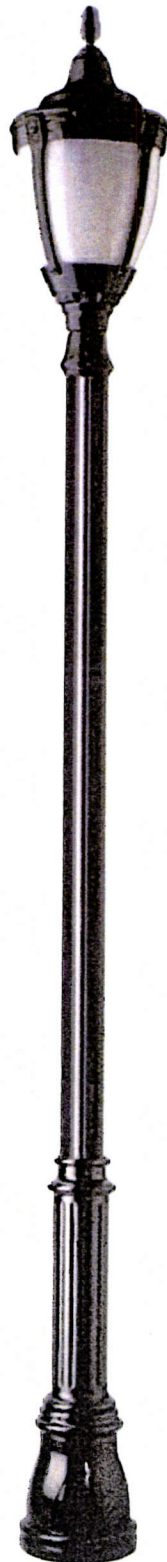
It is the intent of Amara Court to enhance the appeal of buildings and landscaping and to protect the desired atmosphere of the community.

Appropriate lighting fixtures/structures and intensity must be considered when designing the lighting for the various elements of a project (i.e., building, site entrances, walkways, parking areas, or other areas of the site).

Light Fixtures will conform to the City of West Jordan Standards.

The use of exterior lighting to accent a building's architecture is encouraged. All lighting fixtures will be properly shielded to eliminate light and glare from impacting adjacent properties.

To achieve the desired lighting level for parking and pedestrian areas, the use of more short, low intensity fixtures is encouraged over the use of a few tall fixtures that illuminate large areas.



RESIDENTIAL STREET LIGHT

RD-225



LANDSCAPING



All landscaping shall meet the special requirements of section 13-13-11 according to the specific land use zone requirements, in addition to the requirements of title 13

Irrigation Systems: A permanent irrigation system shall be installed to help ensure survival of plants. All irrigation systems and components shall be selected and designed for the most efficient use of water, including microspray, bubblers, deep root watering systems and drip irrigation where appropriate. Irrigation shall be designed and installed with suitable emitters or spray heads to avoid overspray beyond the area requiring irrigation.

Trees: At planting, all deciduous trees shall have a minimum trunk size of one and one-half inches (1.5") in caliper at four feet (4') above grade. Vegetation, organic mulch or gravel shall be used around the base of trees and the trees shall be staked.

Shrubs: All shrubs shall be two (2) gallon minimum and have a minimum height or spread of eighteen inches (18") depending on the plant's natural growth habit. All perennials shall be one gallon minimum. Ground cover crowns, plugs or containers shall be in a number and spacing sufficient by species to provide forty percent (40%) surface coverage at maturity.

Turf Grasses: Use of water conserving grasses will be used.

Plant List used in project pictured above included:

Trees: Columnare Norway Maple (2") in caliper.

Shrubs: Burning Bush, Gold Flame Spirea, Crimson Pygmy Barberry, Cistena, Karl Forester Grass, Mugo Pine, and Hick's Yew to name a few.

**WEST JORDAN – ZONING MAP AMENDMENT
& DEVELOPMENT REQUEST**

DATE: January 28, 2014

PROJECT: AMARA COURT

SIDWELL #: 21-27-178-014

- I. **REQUEST:** Amara Court Townhomes; 7292 South Redwood Road; 21-unit residential townhome development; Rezone 2.78 acres from R-1-8 (Single family Residential) (8,000 square feet) to PRD (H) (Planned Residential Development) (Multi-family).
- A. APPLICANT: FERRAN CONSTRUCTION, INC.
B. LOCATION: 7292 SOUTH REDWOOD ROAD, WEST JORDAN UT
C. OWNER: SMITH, ALEEN S & GRAHAM, COLLEEN S; TRS
D. CURRENT ZONING: R-1-8
E. REQUESTED ZONING: PRD (H) on 2.45 acres; P-O on 0.33 acres
F. ACREAGE: 2.78 Acres
G. LEGAL DESCRIPTION:
BEG N 0°11'27" E 676.5 FT & N 89°48'33" W 53 FT FR SE COR OF NW 1/4 SEC 27, T 2S, R 1W, S 1M; N 0°11'27" E 94.06 FT; W 258.14 FT; N 175 FT; E 258.14 FT; N 6.73 FT; W 602.5 FT; S 275.79 FT; E 602.5 FT TO BEG. 2.78 AC M OR L 6364-0585 7386-0356

II. BACKGROUND:

The subject property (7292 South Redwood Road) was developed as a single-family residence with 1932 total square feet, originally built in 1949; remodeled in 1983 and sits on 2.78 acres. Presently, the property is zoned Low Density Residential (R-1-8).

III. GENERAL INFORMATION & ANALYSIS:

The subject property's surrounding zoning and land uses are as follows:

	Existing Land Use	Zoning
North	Single Family Residential	R-1-8
South	Multi-Family Residential	R-3-20
East	Single Family Residential	R-1-8
West	Single Family Residential	R-1-8

Applicant is proposing to rezone and develop the subject 2.78 acres to allow for high-density residential use, consistent with the General Plan and land use map adopted March 14, 2012. Specifically, applicant is requesting to rezone 2.45 acres/106,797.65 s.f. to PRD(H) (Planned Residential Development, high-density up to ten units per acre maximum density); to develop a 21-unit 2-story townhome community (density = 8.5 units/acre).

The existing home located just off Redwood Road would remain and be converted to a commercial use with a proposed rezone designation of P-O and include 0.33 acres/ 14,176 SF with 8 parking stalls.

SITE INFORMATION:

PRD(H) – 21 Townhomes, Residential

	% Land Use	Area	Acreage
Open Space	45.98%	49,105.65 sq.ft.	1.13 acres
Residential Units	20.65%	22,050 sq.ft.	0.51 acres
Streets, Curb/Gutter, Sidewalk	22.66%	24,200 sq.ft.	0.55 acres
Driveways	9.04%	9,660 sq.ft.	0.22 acres
Offstreet Parking	1.67%	1,782 sq.ft.	0.04 acres
TOTAL	100.00%	106,797.65 sq.ft.	2.45 acres

PO – Commercial Space

	% Land Use	Area	Acreage
Open Space	48.15%	6,826.5 sq.ft.	0.16 acres
Commercial Space	6.82%	966 sq.ft.	0.02 acres
Streets, Curb/Gutter, Sidewalk	37.03%	5,250 sq.ft.	0.12 acres
Offstreet Parking	8.00%	1,134 sq.ft.	0.03 acres
TOTAL	100.00%	106,797.65 sq.ft.	0.33 acres

The requested zone change and amendment to the zoning map is consistent with the purposes, goals, objectives, and policies of the City's General Plan. The subject property is located within the High Density Residential land use designation. The General Plan encourages a diversity of housing types and densities within residential areas (Goal 4, pg.17). The immediate area does have a variety of housing types, including single-family, and apartments. However, the existing housing available in the area does not cater to young professionals and small families of whom would be the primary targeted market for the proposed development, Amara Court. The proposed rezone would provide additional options for housing within the neighborhood and City. The request also would fall within the allowed density range permitted by the High Density Residential Land Use designation. The proposed Amara Court development would contain the highest level of design, function, and appearance standards as called for in the General Plan. The rezone to the PRD zone would ensure additional design, open space and architectural standards than other zones that would bring an added element of beauty and style to the area.

Impact on adjacent properties:

The property to the south was developed as apartments within a R-3-20 zone, while the properties to the east, west, and north were single-family within a R-1-8 zone. The proposed Amara Court development will be two-story townhome buildings, consisting of two 6-plex buildings and one 9-plex building elevations of high quality design and appearance standards as called for in the General Plan. A landscape buffer will surround the

development with at least 30-foot rear yard setbacks. A 6-foot high vinyl fence will surround the development with trees planted to help mitigate any impacts. The requested amendment would be a compatible land use and does not adversely affect or impact adjacent properties.

Impact on City services:

The proposed amendment would not negatively impact the adequacy of public services and facilities intended to serve the subject area and property than would already be needed to serve the area, including police and fire protection, water and sewer. The City would be able to service the property with water, sewer, and storm drainage.

Impact on schools:

There are adequate school facilities in the area provided by Jordan School District whom can provide services to elementary, middle and high school students that may reside within the area being proposed for amendment.

IV. ATTACHMENTS:

Exhibit A – Vicinity / Aerial Map

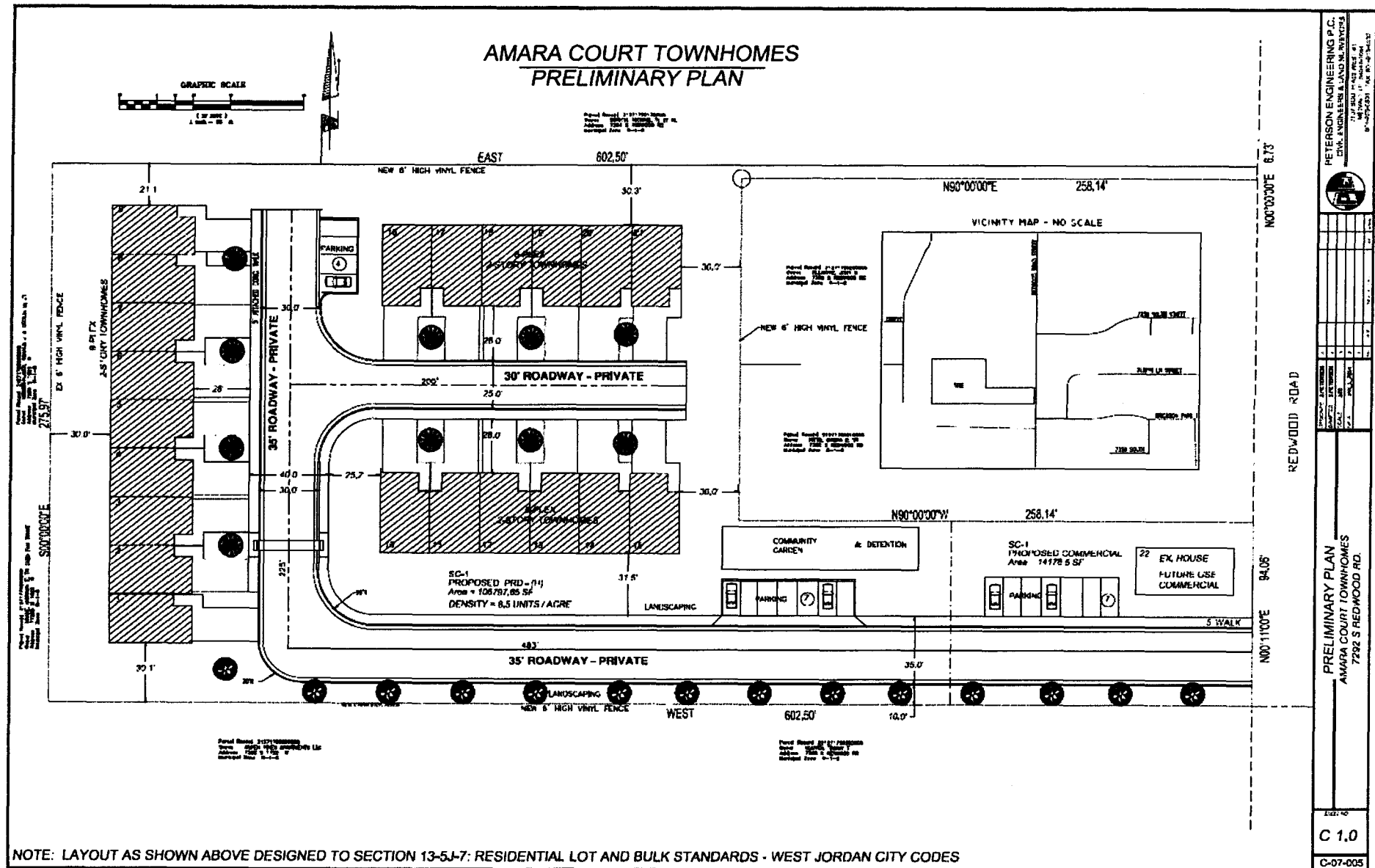
Exhibit B – Existing Land Use / Zone Map

Exhibit C – Preliminary Site Plan / Landscape Plan

Exhibit D – Preliminary Utility Plan

Exhibit B -- Existing Zoning / Land Use Map





March 11, 2014

City of West Jordan
Planning and Zoning Division
8000 South Redwood Road
West Jordan, UT 84088

RE: Amara Court rezone, 7270 South Redwood Road

To Whom It May Concern:

This letter is in response to the redline comments received from West Jordan Planning Division pertaining to the Amara Court Townhomes concept drawing. We are in support of having the entire subject property of an estimated 2.78 acres to be rezoned to PRD(H) and use the Redwood Road Overlay to allow the office use on the structure located off Redwood Road.

We appreciate your consideration and look forward to discussing this project further.

Kind Regards,

A handwritten signature in black ink, appearing to be 'Scott Geertsen' or 'Troy Ferran', written in a cursive style.

Scott Geertsen/Troy Ferran

ATTACHED

Based on the findings set forth in the staff report, staff recommended that the Planning Commission approve the Preliminary Plat for Henry's Place Subdivision located at approximately 8305 South 2700 West subject to the following conditions:

1. Install a minimum six foot (6 foot) high opaque masonry or lightweight precast fiber reinforced concrete wall per Section 13-14-3G. Streetscape Walls: along 2700 West and providing cross section drawings, elevation drawings and a colored rendering detailing the height and materials to be used.
2. Install a wall exactly or similar in type, construction and height along that portion of the residential properties that abut the Utah Transit Authority TRAX corridor.
3. Remove all installed drive approaches abutting the project boundaries along 2700 West and replace the curb, gutter and sidewalk as directed by the City Engineer.
4. Work with City staff on the final design, ownership and perpetual maintenance of the proposed detention pond as part of final subdivision approval.
5. All lots must comply with the applicable requirements of Title 13, Zoning Regulations and Title 12, Subdivision Regulations including, but not limited to lot area, width and frontage requirements.
6. All applicable city departmental requirements must be met prior to recordation of the final plat.


Dan Lawes opened the public hearing.

Public comment for this item was closed at this time.

MOTION: Lesa Bridge moved based on the findings presented today and upon the evidence set forth to approve the Preliminary Subdivision Plat for Henry's Place Subdivision; 8305 South 2700 West; Castle Creek Homes South/Sam Drown (applicant) with conditions 1 through 6. And as further stated in the meeting today, amending:

2. The applicant shall install a sound wall exactly or similar in type, construction and height as what currently exists along the TRAX corridor along that portion of the residential properties that abut the Utah Transit Authority TRAX corridor.

The motion was seconded by Zach Jacob and passed 7-0 in favor.

- 
3. Amara Court Townhomes; 7292 South Redwood Road; Rezone approximately 2.78 acres from R-1-8A (Single-family Residential 8,000 square foot minimum lots) to PRD(H) (Planned Residential Development – High Density for an estimated 21 units) Zone; Ferran Construction/Troy Ferran (applicant) [#ZC20140001; parcel 21-27-178-014]

Troy Ferran, applicant, 1711 Ellerbeck Lane, agreed with the staff's outline of the proposed zone change and was available for questions.

Ray McCandless stated that the applicant had initially wanted to rezone the front portion of the parcel to professional office, but that could be considered a spot zone based on the standards in the code. However, the Redwood Road Corridor Overlay would allow the applicant to request an office use in the existing home even if the property is zoned residentially. For that reason, the entire property is requested to be zoned PRD(H). The future land use map designation is for high density residential,

which is consistent with the PRD(H) zoning designation. The commission will also review the concept development plan associated with the rezoning that shows 21 townhome units with an access from Redwood Road, a community garden, and office use on Redwood Road. A 30-foot buffer from the residential area to the west is shown. Concept elevations were shown, but final design will be determined after the Design Review Committee gives their input for the preliminary development plan and approval by the Commission. Proposed density is a little more than eight units per acre, but the final density will be based on the amenities shown in the preliminary development plan and within the range for high density residential.

Based on the findings set forth in the staff report, staff recommended that the Planning Commission forward a positive recommendation to the City Council to approve the Concept Development Plan and rezone the property located at approximately 7292 South Redwood Road, rezoning 2.78 acres from R-1-8A (Single-family Residential 8,000 square foot minimum lots) to PRD (H) (Planned Residential Development – High Density).

Dan Lawes opened the public hearing.

Kelvin Green, West Jordan resident, was opposed to the project because it is inappropriate for the neighborhood. The Municipal Code requires all property owners on the application to sign an affidavit, but since the property is in a trust the people listed on the application are trustees. The Code also requires that the concept development plan includes a legal description, a topographical map, plans, a general location, and a preliminary development schedule. Three of these things are missing from the application. He referred to criterion #6 and #12 and said that 2.45 acres is not a large planned community, so this development is not appropriate for PRD(H) and must fail. This is inconsistent with the General Plan that says the city should have an 83/17 mix of high density units. However it is currently at about 80/20. They need appropriate growth according to the plan, and there are already numerous high density complexes being forced upon them. The General Plan says that in 2012 they should have 554 units of high density in this area in the city. This development will put it at almost 500. Within a mile of this project there are three manufactured home communities, seven apartment complexes and one pending.

Public comment for this item was closed at this time.

Troy Ferran said they had spent a lot of time with staff on this project. Because of the flag lot configuration, it took numerous revisions to develop a plan that works well for the property and one that meets the fire department and street requirements. They feel it will be a great addition for the area and a good use for the property. His company is considered expert in the infill market.

Zach Jacob asked staff why they are applying for the PRD zone and not multifamily residential.

Ray McCandless said PRD allows for more flexibility in placement of the units. Since this is a flag lot there are some challenges with placement. He didn't think it would be considered a spot zoning because there are apartments immediately south of this that are even higher density. The use makes a good transition from Redwood Road to the single-family residential to the west.

David Pack understood that the applicant feels that he had followed all of the procedures required by staff, but Mr. Green stated that perhaps all of the rules hadn't been followed.

Ray McCandless said the affidavit is required as part of the submittal, but it is not included in the planning commission packet. The legal description is in the development plan.

Greg Mikolash said every application goes through the same process, but not everything is shown in the meeting.

Lesa Bridge reviewed the surrounding area that includes townhomes to the south, storage units to the north, a collection of miscellaneous uses around Redwood Road, and residential lots to the west. The applicant has experience with infill properties and she felt that the proposal would be a good infill development for the area, and it is better than what exists today.

Zach Jacob asked Mr. Thorup about the comment that trustees cannot sign the affidavit.

Robert Thorup said a trust can only operate through its trustees. So if the trustees are signing, then the trust is signing.

Zach Jacob said the project is probably a good fit. He agreed with the 80/20 versus the 83/17 goal and they need to look at finding low density houses, however, the proposal is a better fit than R-1-8.

Bill Heiner liked the project, and from an aesthetic standpoint it will be an improvement. He asked how the 83/17 goal will affect future projects.

Greg Mikolash said there will be ebb and flow patterns. They won't always fit the ratio exactly, but they are shooting for that range. Tonight the commission should look at whether or not PRD(H) is the appropriate use of the site. They have been working on this project for a long time, and because the property is close to an arterial street and between storage units and very high density residential, in his opinion the proposal is a good fit.

Tom Burdett said when the city council adopted the policy in the general plan the city was already over the percentage. The general plan serves as a guide. One point of view could be that the city intended a moratorium on all multifamily when they put that in the general plan, but he didn't think that was the case. There were no studies done at the time to determine whether or not the land use plan or the existing zoning map even met that policy. They can discuss implementation of the policy that at their workshop with the city council.

MOTION: Dan Lawes moved based on the findings set forth in the staff report and upon the evidence and explanations received today to forward a positive recommendation to the City Council for Amara Court Townhomes; 7292 South Redwood Road; Ferran Construction/Troy Ferran (applicant) for the concept development plan and rezoning approximately 2.78 acres from R-1-8A to PRD(H). The motion was seconded by Lesa Bridge and passed 7-0 in favor.

ATTACHED

THE CITY OF WEST JORDAN, UTAH

A Municipal Corporation

ORDINANCE NO. 14-14

AN ORDINANCE REZONING APPROXIMATELY 2.74 ACRES FROM R-1-8A (SINGLE FAMILY RESIDENTIAL) TO PRD (H) (PLANNED RESIDENTIAL DEVELOPMENT – HIGH DENSITY RESIDENTIAL) GENERALLY LOCATED AT 7292 SOUTH REDWOOD ROAD

Whereas, approximately 2.74 acres of territory, located at approximately 7292 South Redwood Road have been zoned to be in zone classification R-1-8A (Single-Family Residential 8,000 square foot lot size); and

Whereas, the owners of the said territory have requested the territory be rezoned to be in zone classification PRD (H), (Planned Residential Development – High Density Residential); and

Whereas, on March 18, 2014, the territory was considered by the Planning and Zoning Commission, which has made a positive recommendation to the City Council concerning the zoning classification to be applied to the territory; and

Whereas, a public hearing, pursuant to public notice, was held before the City Council on April 23, 2014; and

Whereas, the City Council finds and determines that the public health, welfare and safety of the community will be protected and that territory values will be preserved and improved if the territory is rezoned; and

NOW THEREFORE, IT IS ORDAINED BY THE CITY COUNCIL OF WEST JORDAN, UTAH:

1. The ZONING MAP OF THE CITY OF WEST JORDAN, UTAH, as adopted pursuant to Section 13-7D-1 of the West Jordan Municipal Code, are amended, by removing from zone classification R-1-8A (Single-Family Residential 8,000 square foot lot size) the following described area:

BEGINNING AT A POINT WHICH IS SOUTH 00°03'25" EAST 1867.79 FEET ALONG THE SECTION LINE AND SOUTH 89°56'35" WEST 53.00 FEET FROM THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, SAID POINT OF BEGINNING BEING ON THE WESTERLY RIGHT OF WAY LINE OF REDWOOD ROAD, SAID POINT BEING FURTHER DESCRIBED AS BEING ON THE NORTHERLY BOUNDARY LINE OF THE PROPERTY DESCRIBED IN QUIET TITLE

ACTION KNOW AS CARL CHRISTENSEN VS ESTATES OF EDNA NEWLON, ETC.. CIVIL NO. CV86-3033 RECORDED JULY 8, 1986 AD.; THENCE SOUTH 89°56'35" WEST 285.25 FEET; THENCE SOUTH 00°03'25" WEST 12.35 FEET; THENCE SOUTH 89°56'35 WEST 317.25 FEET; THENCE NORTH 00°03'25" WEST 275.79 FEET; THENCE NORTH 89°56'35" EAST 344.36 FEET; THENCE SOUTH 00°03'25" EAST 167.73 FEET; THENCE NORTH 89°56'35" EAST 258.14 FEET TO A POINT ON SAID WESTERLY RIGHT OF WAY LINE OF REDWOOD ROAD; THENCE SOUTH 00°03'25" EAST 95.71 FEET TO THE POINT OF BEGINNING.

CONTAINS: 119,343.80 SF OR 2.74 ACRES

2. The territory shall hereafter be subjected to the land-use restrictions and limitations as are stipulated for zone classification PRD (H), (Planned Residential Development – High Density Residential).
3. Rezoning to a PRD (H) zoning classification is subject to the approval of a Preliminary and Final Development Plan.
4. A Preliminary Development Plan and final density is awarded subject to City Council approval.

This Ordinance shall become effective upon publication or posting or upon the expiration of twenty days following passage, whichever is earlier.

Adopted by the City Council of West Jordan, Utah, this day of , 2014.

CITY OF WEST JORDAN

By: _____
Kim V. Rolfe
Mayor

ATTEST:

MELANIE S. BRIGGS, MMC
City Clerk

Voting by the City Council

"AYE"

"NAY"

Councilmember Jeff Haaga

Councilmember Stoker

Councilmember Nichols

Councilmember Hansen

Councilmember Southworth

Councilmember McConnehey

Mayor Kim V. Rolfe

CITY CLERK/RECORDER'S CERTIFICATE OF PUBLICATION

I, Melanie S. Briggs, certify that I am the City Clerk/Recorder of the City of West Jordan, Utah, and that the foregoing ordinance was published in the Legal Section, of the Salt Lake Tribune, on the _____ day of _____, 2014, pursuant to Utah Code Annotated, 10-3-711.

MELANIE S. BRIGGS, MMC
City Clerk/Recorder

[SEAL]

ATTACHED

A roll call vote was taken

Councilmember Haaga	Yes
Councilmember Hansen	Yes
Councilmember McConnehey	Absent
Councilmember Nichols	Yes
Councilmember Southworth	Absent
Councilmember Stoker	Yes
Mayor Rolfe	Yes

The motion passed 5-0

VIII. PUBLIC HEARING

RECEIVE PUBLIC INPUT AND CONSIDER FOR APPROVAL ORDINANCE 14-14, REGARDING A REZONE OF APPROXIMATELY 2.78 ACRES FROM R-1-8A (SINGLE-FAMILY RESIDENTIAL 8,000 SQUARE FOOT MINIMUM LOTS) TO PRD(H) (PLANNED RESIDENTIAL DEVELOPMENT-HIGH DENSITY FOR AN ESTIMATED 21 UNITS) ZONE, FOR PROPERTY LOCATED AT 7292 SOUTH REDWOOD ROAD, AMARA COURT TOWNHOMES, FERRAN CONSTRUCTION/TROY FERRAN, APPLICANT

Ray McCandless stated the property is located at approximately 7292 South Redwood Road. It contains 2.74 acres and is zoned R-1-8A. The property has an existing single-family dwelling on it that fronts onto Redwood Road. The rest of the property is vacant. The property is designated as High Density Residential on the City's Future Land Use Map.

This application was initially submitted with the intent to rezone the westernmost 2.41 acres of the subject property from an R-1-8A zoning district to PRD(H) to accommodate a proposed 21-unit town home development and to rezone the easternmost .33 acres from R-1-8A to PO (Professional Office) to allow the conversion of the existing home into an office. Upon conducting a redline review of the rezoning request, several concerns were raised with regards to zoning the front portion of the property to PO. Given these concerns, the applicant has requested that the entire property be rezoned to PRD (H) as stated in Exhibit H. No change to the Future Land Use Map is needed as the PRD (H) zoning is consistent with the High Density Residential land use designation on the map. The existing home can be converted to limited office or commercial use under the Redwood Road Overlay District. This Staff Report is written with the understanding that the entire property is proposed to be rezoned to PRD (H) and that no changes will be needed to the Future Land Use Map.

The applicant was also requesting approval of the Concept Development Plan that was required by the PRD zoning district. The concept plan shows 21 town homes with a gross density of 8.57 dwelling units per acre. The town homes are accessed by a private street

that connects to Redwood Road. A community garden area and guest parking are also proposed. The layout and number of units of the development may change depending on the road configuration approved by the Engineering and Fire departments as part of the preliminary and final site plan and subdivision plan review. The Preliminary Development Plan will need to be reviewed by the Planning Commission and City Council in the future.

On March 18, 2014, the Planning Commission reviewed this request and unanimously (7-0 vote) recommended that the rezoning request and Concept Development Plan be approved by the City Council (Exhibit J).

The property's surrounding zoning and land uses are as follows:

	Future Land Use	Zoning	Existing Land Use
North	High Density Residential	R-1-8A	Residential
South	Very High Density Residential / High Density Residential	R-3-20/R-1-8A	Residential
East	Low Density Residential	R-1-8C	Residential
West	Medium Density Residential / High Density Residential	R-1-8C and R-1-8A	Residential

FINDINGS OF FACT

According to City Code, Section 13-7D-7(A), the following shall be met in approving any amendments to the Zoning Map:

Criteria 1: *The proposed amendment is consistent with the purposes, goals, objectives and policies of the adopted general plan.*

Discussion: The property is designated as *High Density Residential* on the City's Future Land Use Map with a density range of 5.1 to 10.0 dwelling units per acre. The proposed PRD (H) zone allows a density of between 5.6 and 10.0 dwelling units per acre which is consistent with the density range shown on the Future Land Use Map. No changes to the Future Land Use Map are required to rezone the property to PRD (H). The applicant may or may not achieve the proposed density of 8.57 dwelling units per acre as shown in the Concept Development Plan depending on the buy-up density approved by the City Council.

City Code states that the purpose of the planned residential development (PRD) zone is to "encourage imaginative, creative and efficient utilization of land by establishing development standards that provide design flexibility, allow integration of mutually compatible residential uses, and encourage consolidation of open spaces, clustering of dwelling units, and optimum land planning with greater efficiency, convenience and amenity than may be possible under the procedures and regulations of conventional

zoning classifications. A planned residential development should also incorporate a common architectural design theme throughout the project that provides variety and architectural compatibility, as opposed to a development of individual, unrelated buildings located on separate, unrelated lots.”

The General Plan supports efficient residential development patterns that enhance established neighborhoods and creates new infill neighborhoods (Page 29). It also encourages infill development to be similar to existing adjacent residential development (Page 31). The General Plan also supports a diversity of dwelling unit types and densities in residential areas (Page 30).

Citywide, the General Plan recommends the ratio of single family residential development to multi-family of 83/17. The General Plan states, “In order to meet an 83/17 single family/multi-family housing ratio established by the General Plan, the city would need a total of 32,636 single-family units and 6,685 multi-family units, which will require construction of an additional 7,754 single-family units and 535 multi-family units by 2020...”

The General Plan states that ‘the percentage of multi-family housing has increased slowly since 2000, climbing from 14% to 20% in 2010. The percentage of existing multiple-family housing as compared to the total housing stock is illustrated by the chart and graph below (Figure 4.3).’

Figure 4.3 Housing Type

Year	Single-family	Multi-family	Total	% Single-family	% Multi-family
2000 (Census)	19,531	2,789	22,230	87.5%	12.5%
2000	19,852	3,187	23,030	86.2%	13.8%
2001	20,238	3,380	23,609	85.7%	14.3%
2002	20,904	3,819	24,714	84.6%	15.4%
2003	22,125	4,474	26,590	83.2%	16.8%
2004	22,951	4,726	27,668	83.0%	17.0%
2005	23,811	4,878	28,680	83.0%	17.0%
2006	24,343	4,992	29,326	83.0%	17.0%
2007	24,505	5,295	29,800	82.2%	17.8%
2008	24,591	5,418	30,009	82.0%	18.0%
2009	24,732	5,832	30,562	80.9%	19.1%
2010	24,882	6,150	31,032	80.2%	19.8%

Source: W.J. Building Permits; U.S. Census Bureau, 2000 Census

Although the overall number of multi-family dwellings in the City was a consideration, the more important issue was whether this was an appropriate location for townhomes given the adjoining land uses proximity to Redwood Road and impacts to those uses.

Townhomes are a hybrid between single-family attached and multi-family housing. Townhomes are individually owned and generally owner occupied whereas apartments are for rent units.

Best planning practices would support locating higher density housing near where public transit facilities are available not only to provide housing options for those wanting to use the system, but to reduce the number of vehicle trips on public streets. There is bus service on Redwood Road and staff is of the opinion that higher density development can work, provided that any foreseeable impacts from differing land use densities can be adequately mitigated.

The density would be established as part of the Preliminary Development Plan review which will follow the rezoning process. Per City Code, section 13-5C-8, the density of the development will be determined based on the amenities provided such as detached garages, enhanced architectural features and recreational facilities.

Given that the proposed density is within the density range of the PRD (H) zoning district and within the density range of the Future Land Use Map and because the townhomes add to a more diverse housing mix, the proposed rezoning to PRD (H) is consistent with the purposes, goals and objectives and policies of the City's General Plan.

Finding: The proposed request to change the zoning map to PRD (H) as proposed is consistent with the purposes, goals, objectives and policies of the City's General Plan provided that the number of dwelling units is within the density range as set by the General Plan.

Criteria 2: *The proposed amendment will result in compatible land use relationships and does not adversely affect adjacent properties.*

Discussion: Looking at the broader picture, the Future Land Use Map shows the adjoining property to the north and south as High Density Residential meaning that the proposed PRD (H) zoning is consistent with adjoining land uses to the north and south. The proposed zoning also provides buffering between the single-family dwellings to the east and impacts from Redwood Road. The proposed rezone will not adversely affect the storage units which are further to the north or the Aspen Pines apartments to the south which are designated as Very High Density Residential and are zoned R-3-20.

The concept plan shows 21 townhomes. Although this was not a subdivision approval request, the concept plan demonstrates that adequate buffering between uses can be provided to mitigate compatibility between this development and the adjoining property. If the property were developed as single-family residential in an R-1-8 zone, roughly 10-12 units could be built on the site.

Finding: The proposed zoning amendment will result in compatible land use relationships and does not adversely affect adjacent properties.

Criteria 3: *The proposed amendment furthers the public health, safety and general welfare of the citizens of the City.*

Discussion: Staff did not foresee any adverse impacts to public health, safety or general welfare of the citizens of the city resulting from the proposed PRD (H) zone.

Finding: The proposed zoning amendment will not be a detriment to the public health, safety and general welfare of the citizens of the city.

Criteria 4: *The proposed amendment will not unduly impact the adequacy of public services and facilities intended to serve the subject zoning area and property than would otherwise be needed without the proposed change, such as, but not limited to, police and fire protection, water, sewer and roadways.*

Discussion: The Engineering Division has determined there are adequate public facilities in the area. The applicant will need to provide for storm drainage, utilities and public streets during the subdivision review process and as required per City Code. The City will not require a traffic study; however, UDOT will require one since Redwood Road is a State road.

The Fire Department would inspect the subdivision plat once an application was made to determine serviceability based on specific design.

Finding: The proposed amendment will not unduly impact the adequacy of public services and facilities intended to serve the subject zoning area and property than would otherwise be needed without the proposed change, such as, but not limited to, police and fire protection, water, sewer and roadways.

Criteria 5: *The proposed amendment is consistent with the provisions of any applicable overlay zoning districts which may impose additional standards.*

Discussion: The property is in the Redwood Road Overlay District which will allow the applicant to convert the front building into a limited office or commercial use if all zoning requirements can be met. Rezoning the property to PRD (H) will not impact what can be developed in the Redwood Road Overlay District.

Finding: The proposed amendment is consistent with the provisions of any applicable overlay zoning districts which may impose additional standards.

Per City Code, section 13-5C-1C, the intent of planned developments (PC or PRD) was to:

Criteria 1: *Create more attractive and more desirable environments in the city.*

Discussion: The proposed development will provide a more desirable environment in the City by providing a variety of housing options for people interested in living in the area. Another benefit will be that a long underutilized parcel of vacant in-fill land will be developed in a central portion of the City.

Finding: The proposed rezoning will create more attractive and more desirable environments in the City.

Criteria 2: *Allow a variety of uses and structures and to encourage imaginative concepts in the design of neighborhood housing and mixed use projects.*

Discussion: The proposed rezoning will allow for greater flexibility in land use and structure types than would generally be found in a typical single-family development. The concept plan shows town homes which are consistent with the adjoining property to the south. Although the properties to the north currently have single-family dwellings on them, it is likely that this area will develop as multi-family with offices along the frontage of Redwood Road in the future.

Finding: The proposed rezoning will allow a variety of uses and structures and to encourage imaginative concepts in the design of neighborhood housing and mixed use projects.

Criteria 3: *Provide flexibility in the location of buildings on the land.*

Discussion: The PRD (H) zoning allows for greater flexibility in where buildings on the property can be located. Fifteen percent of the site must be maintained as open space. This flexibility should not impact existing residential developments in the area as buffering and open space requirements are more restrictive in this zone.

Finding: The proposed rezoning provides flexibility in the location of buildings on the land.

Criteria 4: *Facilitate and encourage social and community interaction and activity among those who live within a neighborhood.*

Discussion: The open spaces surrounding the building and proposed community garden will encourage interaction and activity among the residents within the development. PRD's are intended to be more communal in nature than standard single-family residential developments. The community garden should be relocated out of the detention basin due to the potential for soil contamination from streets and parking areas. All subdivision / site plan related issues will be dealt with in full at the time of review and examination of the site plan and subdivision applications.

Finding: The proposed rezone facilitates and encourages social and community interaction and activity among those who live within the neighborhood.

Criteria 5: *Encourage the creation of a distinctive visual character and identity for each planned development.*

Discussion: Building architecture and theme will be addressed through the subdivision and site plan review processes. The applicant has submitted colored architectural renderings illustrating the proposed townhomes which are located in the Concept Development Plan (Exhibit I). All PRD developments are required to be reviewed by the City's Design Review Committee prior to a Preliminary Site Plan & Development Plan being approved. The applicant will be given a copy of the City's Design Guidelines Manual to assist in the future design, character, and architecture of the project.

Finding: Building architecture and theme will be addressed through the subdivision and site plan review processes.

Criteria 6: *Produce a balanced and coordinated mixture of uses and related public and private facilities.*

Discussion: This criterion is oriented toward large planned communities, not one of this size.

Finding: This criterion does not apply.

Criteria 7: *Encourage a broad range of housing types, including owner and renter occupied units, single-family detached dwellings and multiple-family structures, as well as other structural types.*

Discussion: This project is not a large scale development but does provide an alternative to detached single-family homes and apartments. If the City Council votes to approve the rezoning request, there are a number of ways to assure that the units remain owner occupied such as through a development agreement.

Finding: The proposed rezoning encourages a broad range of housing types, including owner and renter occupied units, single-family detached dwellings and multiple-family structures, as well as other structural types.

Criteria 8: *Preserve and take the greatest possible aesthetic advantage of existing trees and other natural site features and, in order to do so, minimize the amount of grading necessary for construction of a development.*

Discussion: There are some trees along the south property line that should be kept if possible as they can serve as an aesthetic amenity for the development. This will be evaluated as part of the subdivision and site plan review process. The site is otherwise on level ground.

Finding: The proposed rezone preserves and takes the greatest possible aesthetic advantage of existing trees and other natural site features and, in order to do so, minimizes the amount of grading necessary for construction of a development

Criteria 9: *Encourage and provide for open land for the general benefit of the community and public at large as places for recreation and social activity.*

Discussion: This is a relatively small development with 21 dwelling units. The open space surrounding the development will provide spaces for recreation and social activity. A community garden is also proposed within the development which will benefit the residents.

If the property were zoned R-3-8, which is considered High Density Residential, the number of units allowed would be similar to what is proposed, at around 21 or 22 dwelling units.

Finding: The proposed rezone encourages and provides for open land for the general benefit of the community and public at large as places for recreation and social activity.

Criteria 10: *Achieve physical and aesthetic integration of uses and activities within each development.*

Discussion: Physical and aesthetic integration of uses and activities within the development will be provided with the coordinated architectural design of the buildings.

Finding: The proposed rezone achieves physical and aesthetic integration of uses and activities within the development.

Criteria 11: *Encourage and provide for development of comprehensive pedestrian circulation networks, separated from vehicular roadways in order to create linkages between residential areas, open spaces, recreational areas and public facilities, thereby minimizing reliance on the automobile as a means of transportation.*

Discussion: Sidewalks will be required throughout the development and will provide connections between the units and Redwood Road. Pedestrian separation and circulation will be adequate and in conformance with all code requirements.

Finding: The proposed rezone encourages and provides for development of comprehensive pedestrian circulation networks, separated from vehicular roadways in order to create linkages between residential areas, open spaces, recreational areas and public facilities, thereby minimizing reliance on the automobile as a means of transportation.

Criteria 12: *Since many of the purposes for planned development zones can best be realized in large scale developments, development on a large, planned scale is encouraged.*

Discussion: The size of this PRD is limited by the property available, Staff believes that the proposed scale of the development will not be a detriment to the area and will have minimal impact to existing neighborhoods in the immediate area.

Finding: The size of this PRD is limited by the property available and the fact that all other adjoining property is developed.

Criteria 13: *Achieve safety, convenience and amenity for the residents of each planned residential development and the residents of neighboring areas.*

Discussion: Public health, safety and general welfare is discussed in Criteria 3 in the preceding section.

Finding: The proposed rezone achieves safety, convenience and amenity for the residents of the planned development and the residents of neighboring areas.

Criteria 14: *Assure compatibility and coordination of each development with existing and proposed surrounding land uses.*

Discussion: Neighborhood compatibility is discussed in Criteria 2 of the preceding section.

Finding: The proposed rezone assures compatibility and coordination of the development with existing and proposed surrounding land uses.

As the findings support the proposed rezoning request, Staff did not foresee any concerns with rezoning the property PRD (H) (Planned Residential Development – High Density). Many issues related to design and layout could be addressed at the time of Site Plan and Subdivision submittal and review.

Based on the analysis and findings contained in the Staff Report, Staff recommended that the City Council rezone the property located at approximately 7292 South Redwood Road from R-1-8A (Single-Family Residential) to PRD(H) (Planned Residential Development – High Density). Staff also recommended that the City Council approve the Concept Development Plan showing 21 town homes and an existing single-family dwelling.

Troy Ferran, Ferran Construction, applicant, provided the Council with a brief history of his company and the benefit they would bring to the City. He reviewed the proposed plans for the townhomes located in the development.

The Council, applicant and staff discussed clarifying questions.

Mayor Rolfe opened the public hearing.

Daniel Griffie, Real Estate Broker for the Steadman family, indicated they had several offers for the property over the years; however, they were not as compatible for the infill property as the proposed development. He felt this was a good project for the City.

Kelvin Greene, West Jordan resident, provided the Council with a ‘Statement of Opposition’ regarding the Amara Court Development. He felt the application was legally insufficient, because the ‘property owners’ did not sign the application. He had informed the Planning Commission and staff of this issue. He submitted a GRAMA request to review the application, which did not have the signature of the Trust, of which it was owned. There were several documents that had not been submitted with the application. He requested the Council to vote against the application because of the flawed process and the eight

Linda Sorich, West Jordan resident, stated that her and husband were neutral regarding to the development. They had two questions: 1)What type of fence would be installed to separate their home from the new development, and 2)What was the plan and who was responsible for the safety and maintenance of the irrigation ditch or canal in the new development. They own two shares in the canal and use the water.

Aileen Steadman Smith, Trustee property owner, said that she and her sister Colleen Graham are the Trustees of the Steadman Family Trust. She clarified that they both had signed the required affidavits for the project.

Alexandra Eframo, West Jordan resident, had questions regarding the PRD and the proposed unit per acre. She agreed with one of the previous citizens, who felt the development had not followed the process correctly. She was concerned where the parking was located.

There was no one else who desired to speak. Mayor Rolfe closed the public hearing.

The Council and staff discussed at length the density issues. The Council was concerned with the PRD Zone and high density, as well as the relocation of the ditch.

MOTION: Councilmember Nichols moved to suspend the rules to allow the applicant to readdress the Council. The motion was seconded by Councilmember Stoker and passed 5-0 in favor.

Troy Ferran said they would need to research what was required, and locate point 'A' and point 'B' and establish a connection with what was needed to allow use of the canal.

Linda Sorich clarified the location of ditch and indicated that it flows North to South. At the South end of the ditch there was a large pipe and they wanted to make sure the canal and the opening was safe (i.e., possibly a grate or some type of secure cover over the opening).

Wendell Rigby stated typically the canals are piped underground, with the maintenance the responsibility of the ditch owners.

MOTION: Councilmember Hansen moved that based on the information and findings set forth in this staff report and the design shown in the Amara Court Concept Development Plan, and upon the evidence and explanations received today, I move that the City Council approve the request to rezone 2.74 acres of land located at approximately 7292 South Redwood Road from R-1-8A (Single-Family Residential) to PRD(H) (Planned Residential Development – High Density). Also approve the Concept Development Plan as presented. The motion was seconded by Councilmember Nichols.

A roll call vote was taken

Councilmember Haaga	No
Councilmember Hansen	Yes
Councilmember McConnehey	Absent
Councilmember Nichols	Yes
Councilmember Southworth	Absent
Councilmember Stoker	Yes
Mayor Rolfe	No